

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Administrative Member.

Case No. –MA 85 of 2021 (OA 689 of 2021)

Sankar Chakraborty. - Versus - The State of West Bengal & Others.

Serial No. and Date of order	For the Applicant	: Mr. M. Goswami, Advocate.
<u>04</u> 04.07.2022.	For the State Respondents	: Mr. S. N. Ray, Advocate.

Mr. M. Goswami, learned advocate for the applicant submits that the applicant's father had died on 12.04.2006 and the applicant as son applied for compassionate employment on 13.11.2006. Besides, the applicant submitted similar applications on subsequent dates. However, on 11.03.2014 the respondent considered and rejected his application. Mr. Goswami submits that such rejection was never communicated to the applicant.

It appears that on 11.03.2014, the Deputy Secretary-II, PWD wrote to one Sri Subhranshu Roy, MLA intimating him that the application for compassionate employment of Sankar Chakraborty could not be accepted. Copy of this letter which is in the file does not endorse a copy of the applicant. Mr. Goswami submits that since the rejection was not communicated to the applicant and therefore, he was in dark about fate of his application, therefore, approaching the Tribunal for redressal after a gap of around six years is not his fault. Had the impugned order of 11.03.2014 be communicated to the applicant, certainly the applicant would have approached the Tribunal without any delay. Therefore, Mr. Goswami submits that this delay for approaching the Tribunal through this OA-689 of 2021 may be condoned.

Heard learned advocates and after perusing the records, I am satisfied that such a delay was not due to the fault of the applicant, rather

Form No.

Sankar Chakraborty.

Case No. **MA 85 of 2021 (OA 689 of 2021).**

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The State of West Bengal & Others.

the fault lies with respondents for not informing the applicant of the impugned order dated 11.03.2014. Therefore, the prayer for condonation is accepted and the delay condoned.

The application is disposed of.

(SAYEED AHMED BABA)
MEMBER(A)

S.M.