

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Officiating Chairperson & Member (J)

Case No. – MA 99 of 2022 [OA 881 of 2021]

Md. Muntajul Rahaman -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	: Mr. M. Karim, Mr. S. Thakur, Mr. S.R. Faraz, Learned Advocates.
<u>01</u> 31.08.2022	For the State Respondent	: Mr. M.N. Roy, Mr. G. Halder, Learned Advocates.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 536-WBAT/2J-15/2016 dated 26th August, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

The instant MA has been filed praying for condonation of delay in preferring the original application challenging the final order dated 30.04.2019 as well as Appellate Order dated 08.07.2019. As per the applicant, since he has been dismissed from service and thereafter lost his memory, therefore, he could not approach this Tribunal within stipulated period of time. It has been submitted by the counsel for the applicant that since the applicant has been dismissed from service, therefore, unless and until the delay would be condoned, he will suffer irreparable loss and injuries.

The counsel for the respondent, however, has submitted that the authority has passed the final order as well as the Appellate Order after granting appropriate opportunity and following due process of rules and laws.

In view of the above, the delay is condoned and MA is **allowed**.

URMITA DATTA (SEN)
Officiating Chairperson & Member (J)

CSM/SS