

ORDER SHEET

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)**

**Case No. OA – 454 of 2023**

**Amit Gupta - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order <u>4</u> 01.08.2024	For the Applicant	: Mr. S. Dutta, Ms. T. Bhattacharjee, Advocates
	For the Respondents	: Mr. S. K. Mondal, Advocate
	For Pr. A.G. (A & E), W.B.	: Mr. B. Mitra, (Departmental Representative)

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638 – WBAT / 2J-15/2016 dated 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

Mr. Mondal, learned counsel has submitted that this matter is barred by limitation, for the fact that the employee had retired in the year 2013 and this application has been filed before this Tribunal in 2023, after lapse of ten years. Mr. Dutta, learned counsel for the applicant draws attention to the order of this Tribunal dated 07.08.2023. It is evident from this order that the Tribunal had already covered Mr. Mondal's point of limitation and had noted that since the cause of action has been continuing since his superannuation in 2013, therefore, the question of limitation does not arise. By order of this Tribunal dated 09.01.2024 this application was admitted. Mr. Mondal wishes to file a reply on behalf of the State respondents. Let such reply be filed by the next date and copy be served upon the other side, who, if so wishes, can also file the rejoinder in the meantime.

Since this Tribunal has been functioning with just one Member, instead of six Members, for the last two years, it has to be appreciated that this matter cannot be heard and disposed of as expeditiously as desired.

Let this matter appear under the heading 'Hearing' on 05.12.2024.

A.K.P

SAYEED AHMED BABA  
OFFICIATING CHAIRPERSON & MEMBER(A)