

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER

Case No. – OA- 04 of 2024

Narayan Chandra Sil - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant

:

Mr. K. Bera,
Learned Advocate.

02

25.07.2024.

For the State Respondents

Mrs. Sunita Agarwal,
Learned Advocate.

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

The applicant being unhappy with his transfer to Rudranagar Rural Hospital, Sagar, South 24 Parganas had refused to join the new place as a G.D.A. Seeking remedy, the applicant filed an application being OA-318 of 2015 before this Tribunal. The order of the Tribunal was challenged by the applicant before the Hon'ble High Court in WPST-167 of 2016, which was dismissed on 21.12.2016. Since no remedy was available, the applicant joined his place of duty and retired on 31.03.2023 from Kulpi Rural Hospital. Since the period from 17.03.2015 to 21.12.2016 remained period of absence, he had submitted a representation before the respondent authorities to regularize this period and disburse him his back salaries after adjusting his leave.

The first and foremost question in the mind of this Tribunal is why this application pertaining to the period during 2015 to 2016 has been filed so late after a gap of 8 (eight) years seeking a remedy relating to his absent period.

Having heard the submissions of the learned counsels and on examination of the records in this application, the Tribunal is not satisfied about the admissibility of this application. This application is barred by limitation due to lack of any sufficient reason for such delay.

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THE STATE OF WEST BENGAL & OTHERS.

The application is disposed of without passing any orders.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)

SC