

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 217 of 2023**

**Tapas Kumar Ghosh -- VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order  
03  
21.08.2023

For the Applicant : Mr. S. K. Nandi,  
Ld. Advocate.  
For the State respondent : Mrs. S. Agarwal,  
Ld. 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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

Appearing on behalf of the respondent authority, Mrs. Agarwal submits that this application is not admissible on the ground that the prayer is based on an order of the Tribunal in the years 2009 and 2014. Therefore, it suffers from limitation. Mr. Nandi explains that several representations were furnished before the respondent authorities after the Tribunal's direction. Since no response was forthcoming, the applicant was compelled to seek information through the RTI Act. Only as a reply to such RTI question, the respondent authority finally replied to him on 13.07.2019. Mrs. Agarwal submits that then the delay in filing this application since 2019 has neither been explained nor any application filed for condonation of delay. Mr. Nandi prays for accommodation to file a Miscellaneous Application praying for condonation of delay. Liberty is given to file an application for condonation of delay by the next date.

Let the matter appear under the heading "**Admission Hearing**" on **19.12.2023**.

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**

CSM/SS