

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 282 of 2021**

**Rupali Kundu & Another -- VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicants : Mr. A.K. Niyogi,  
Ld. Advocate.

For the State Respondent : Mr. D. Kole,  
Ld. Advocate.

02  
24.12.2024

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.

It is clear to this Tribunal that the applicants have filed this application praying for setting aside Memo No. 3905 dated 09.09.2016. By this memo, the respondent authorities regretted to accept the prayer of the applicants for employment under compassionate ground. The fact of this memo being assailed before this Tribunal after five years is not in dispute.

Mr. Kole, learned counsel appearing on behalf of the State respondents refers to the main point in the reply given by the respondent where the admission of this application has been contested.

Mr. Niyogi, learned counsel for the applicants refer to the supplementary application filed by the applicants giving reason for such delay in filing the application.

The Tribunal finds that under point 5 Limitation, the applicants have declared that this application has been filed within the prescribed limitation u/s 21 of the Administrative Tribunal's Act, 1985. Further, the supplementary referred by Mr. Niyogi does not contain any submission either mentioning the delay in filing the application or praying for condonation of such delay. From the above observations, it is abundantly clear to the Tribunal that this application filed on 24.03.2021 praying for setting aside the impugned Memo No. 3905 dated 09.09.2016 is absolutely barred by limitation.

Accordingly, this application is **disposed of**.

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

CSM