

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 291 of 2017

Tarak Das - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

07
18.12.2023

For the Applicant : Mr. S. Bhattacharjee,
Learned Advocate.

For the State Respondents : Mrs. S. 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.

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

The primary prayer in this application is for setting aside the impugned order dated 27.05.2015. By this order, the applicant was dismissed from service. Opposing admission of this application, Mrs Agarwal, learned counsel for the respondent submits that this application is not admissible on the ground of limitation. The order, being challenged, was issued by the respondent authorities in the year 2015 and this application was filed in the year 2017.

While submitting on behalf of the applicant, Mr. Bhattacharjee, learned counsel prays for liberty to the applicant to file an appeal before the Appellate Authority. Opposing this, Mrs. Agarwal submits that since the applicant, himself did not file an appeal within the prescribed time limit; therefore, it would not be proper for the Tribunal to pass such a direction.

ORDER RESERVED.

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

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