

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member(J)

Case No. – OA-403 of 2015

Arunava Kundu VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	:	Mr. B.P. Subba, Ms. B. Shrestha, Learned Advocates.
<u>29</u> 06.06.2022	For the State Respondents	:	Mr. S. Ghosh Learned Advocate.

For the Advocate General Mr. G.P. Banerjee,
Learned Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11th February, 2022 issued in exercise of the powers conferred under Section 6 (5) of the Administrative Tribunals Act, 1985.

On consent of both the parties, matter has been taken up.

It is noted that till date the application has not been admitted though reply/rejoinder are complete.

During the course of hearing, the counsel for the official respondent as well as representative of Advocate General has raised the preliminary issue of maintainability of the instant application as the applicant has challenged the Vires of the part of the Notification of 2009. However, the instant application has been filed in the year 2015, even no representation has been filed before the concerned authority only one demand notice was served upon the authority by the learned advocate of the applicant.

In view of the above, the counsel for the applicant has prayed for one accommodation to satisfy the Court on the point of limitation as well as maintainability. Let the matter be listed for further hearing on **20.07.2022.**

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URMITA DATTA (SEN)
MEMBER (J)