

**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 621 of 2022**

**Sanjoy Kundu. - Versus - The State of West Bengal & Others.**

Serial No. and Date of order	For the Applicant	: Mr. S. N. Ray, Advocate.
<u>03</u> 01.02.2023.	For the State Respondents	: Mr. G. P. Banerjee, Advocate.
	For the Principal Accountant General (A&E), West Bengal	: Mr. B. Mitra, Departmental Representative.

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.

Heard the learned counsels.

As pointed out, the corrected Code in this matter should be 9 instead of 12. The same may be corrected in due course of time.

Mr. G. P. Banerjee, learned counsel for the State respondents submits that this is not a continuous cause of action and since the cause occurred in the year 1988 and the applicant superannuated in the year 2021, therefore, this application is barred by limitation.

However, Mr. S. N. Ray, learned counsel for the applicant while disputing submits that this matter is a continuous cause of action and the law is settled on the ground that no junior should be promoted ignoring the seniority of the Gradation List.

Let the matter appear under the heading "Admission Hearing" on 24.02.2023.

(SAYEED AHMED BABA)  
Officiating Chairperson and Member (A)

CSM/SM