

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 779 of 2022

*Md. Sirajul Islam* -- VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	: Mr. B.B. Bhula, Ld. Advocate.
	For the State respondent	: Mr. G.P. Banerjee, Ld. Advocate.
<u>02</u> 10.01.2023	For the PSC, WB	: Mr. S. Bhattacharjee, 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.

The prayer in the application is for a direction to give appointment to the applicant in the post of Sub-Inspector in the subordinate Food & Supplies Department service Grade-III. It appears that a selection for the above post was made by the PSC, WB in the year 2014, in which the applicant was not successful. Against his representations, the West Bengal Staff Selection Commission finally considered and disposed of the prayer on 09.03.2017 indicating that the applicant has not fulfilled the age criteria as per the published advertisement. This application praying for above direction was filed on 06.12.2022. Having filed the application in the Tribunal after a lapse of five years, the issue of limitation is clearly established. The applicant has not been able to satisfy as to why it took five years for him to file an application challenging the impugned order issued on 09.03.2017. Having failed to establish convincing reasons for the delay, this application is **dismissed.**

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

CSM/SS