

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble SAYEED AHMED BABA, Member (A)

Case No. – RA-2 of 2022 (OA-04 of 2019)

Uttam Mandal VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : D.K. Mukherjee,
Learned Advocate.

03
31.08.2022

For the State
Respondents : Mr. S. Ghosh,
Learned Advocate.

Mr. Mukherjee has stated in his application for review of the order dated 04.04.2022 that “there was a delay of more than 15 (fifteen) years in filing the OA-04 of 2019 which is false and unacceptable for the reasons discussed in earlier paragraphs.”

In the order dated 04.04.2022, the Tribunal had rejected the prayer for condonation of delay for fifteen years for approaching the Tribunal since the death of the employee on 11.11.2003. It was an order based on the simple fact that the applicant took fifteen years to approach the Tribunal for compassionate appointment.

During the submission for review of the order dated 04.04.2022, Mr. Mukherjee has failed to satisfy the Court why the order was issued with casual approach.

On the other hand, Mr. Ghosh has quoted the relevant sections of the CPC and the Tribunal's Act to support his contention that this application for review of the Tribunal's order is not maintainable under law. Therefore, this may be refused.

Having heard both the learned advocates, I am of

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the opinion that the learned counsel for the applicant has not been able to sufficiently substantiate his prayer for review of the Tribunal's order and I am thus inclined to disagree and reject the prayer for review. Hence the application for review is rejected.

The case is disposed of. S4

SAYEED AHMED BABA
MEMBER (A)

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