

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

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

& The Hon'ble P. Ramesh Kumar, Member (A)

Case No MA – 210 of 2019 & MA – 211 of 2019 (OA - 752 of 2017)**Gourab Roy @ Gourav Roy –Vs- The State of West Bengal & Others.**

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p style="text-align: center;"><u>1</u> 24.09.2019</p>	<p><i>For the Applicant : Mr. D.K. Sharma, Advocate.</i></p> <p><i>For the Respondents : None.</i></p> <p><i>The instant application has been filed praying for recalling of the order dated 29.01.2019 whereby the O.A, was dismissed for default holding inter alia:</i></p> <p><i>“None for the applicant. It is noted that nobody is appearing on behalf of the applicant on 22.12.2017, 31.01.2018, 13.03.2018, 26.09.2018 even today. It seems that the applicant has lost his interest to pursue with the case. Accordingly, the OA is dismissed for default.”</i></p> <p><i>However, as per the applicant, when the matter was called though he was present each and every time but his presence was not recorded, which is far from the truth as would be evident by the each day's court proceedings. However, as per the applicant, on 29.01.2019, the Advocate on record failed to appear due to his sickness and failed to instruct the conducting advocate to appear in the proceeding on that date. Further the application for recalling of the order was filed on 20th September, 2019 being MA – 210 of 2019 and another MA – 211 of 2019 was filed on the same</i></p>	

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Gourab Roy @ Gourav Roy

Form No.

Vs.**The State of West Bengal & Ors.**Case No. MA – 210 of 2019 & MA – 211 of 2019 (OA - 752 of 2019)

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A.K.P.	<p><i>date for condonation of delay. Further it is noted that the original application was filed praying for compassionate appointment as well as family pension i.e. asking for plural remedies, which is not permissible. In view of the above, we do not find any reason to entertain both the M.A. Accordingly, both the M.A. are dismissed.</i></p> <p>P. RAMESH KUMAR MEMBER (A)</p> <p>URMITA DATTA (SEN) MEMBER (J)</p>	