

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

The Hon'ble Mrs. Urmita Datta (Sen), Member (J) &
The Hon'ble P. Ramesh Kumar, Member (A).

MA-201 of 2019, MA -202 of 2019 (OA -531 of 2016)

Pradip Kumar Naskar & Ors. Vs. The State of West Bengal & Ors..

| 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 |
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| <p><u>01</u> 11.09.2019</p> | <p>For the petitioner : Mr. B.N. Roy, Learned Advocate.</p> <p>For the respondent : Mr. B.P. Roy, Learned Advocate.</p> <p>The instant MA application has been filed for recalling of the order dated 03.04.2019 whereby the OA was dismissed for default as the counsel for the applicant was not present on consecutive two days i.e. on 11.10.2018 and 03.01.2019 though the instant application has been filed for recalling of the order. However, no grounds has been stated for non appearance on the part of the applicant even during the course of hearing, when the Court has asked for grounds for recalling of the order, the counsel for the applicant has refused to show any grounds even the MA application of condonation of delay has been filed after 120 days and not only that but another MA application has been filed praying for 120 days delay wherein it has been stated that the applicant could not appear in time which is not</p> | |

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| <p style="text-align: center;">01 11.09.2019</p> <p>SC</p> | <p>wilful. As the applicant has been represented through his lawyer, so non appearance of applicant is not relevant in this case, the appearance of the counsel is relevant and the counsel for the applicant has refused to show any ground for such non appearance and/ or recalling of the order or to argue further and is very reluctant to answer any queries asked by the Court which is not at all encourageable. Accordingly, we do not find any reason to entertain the MA applications. We, therefore, dismiss both the MA applications.</p> <p style="text-align: center;">P. RAMESH KUMAR MEMBER (A)</p> <p style="text-align: center;">URMITA DATTA (SEN) MEMBER (J)</p> | |

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