

ORDER SHEET
West Bengal Administrative Tribunal

Present.-
The Hon'ble Justice Ranjit Kumar Bag
&
The Hon'ble Dr. Subesh Kumar Das

Case No. **MA-230 of 2019 along with RA-11 of 2019**

Parboti Sil & Ors.

Versus

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
1 <u>02</u> 17/12/2019	<p>For the Applicants : Mr. A.K. Niyogi, Learned Advocate.</p> <p>For the State Respondent : Mr. B.K. Roy, Learned Advocate.</p> <p>The applicants have prayed for review of the order dated September 27, 2018 by which OA-998/2016 was dismissed on the ground that the applicants are not willing to proceed with the hearing of the case. The applicants have filed separate Miscellaneous Application praying for condonation of delay of 350 days in filing the Review Application before the Tribunal.</p> <p>Affidavit of Service filed on behalf of the applicants is kept on record. Having heard Learned Counsel representing both parties and on consideration of the contents of the Miscellaneous Application, we are of the view that the delay in filing the Review Application is properly explained to our satisfaction and as such the delay is condoned.</p> <p>The Review Application was dismissed on September 27, 2018 as Mr. Das Sinha, Learned Counsel representing the applicants submitted that the applicants could not proceed with the hearing of the case. Now, Mr. Niyogi, Learned Counsel representing the applicants contends that the applicants did not give any instruction to Mr. Das Sinha for indicating their willingness not to proceed with the hearing of the case.</p>	

ORDER SHEET – (Continuation)

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Csm	<p>We do not find any written instruction submitted in the case by Mr. Das Sinha. Since the contention of the applicants is that they did not give any instruction to their Learned Counsel to the effect that they will not proceed with the hearing of the case, we are of the view that the order dated September 27, 2018 should be set aside. Accordingly, the Review Application is allowed and order dated September 27, 2018 passed in OA-998/2016 is set aside. The original application is thus restored to its file and number. Both Miscellaneous Application and Review Application are, thus, disposed of.</p> <p style="text-align: center;">S. K. DAS MEMBER(A)</p> <p style="text-align: center;">R. K. BAG MEMBER(J)</p>	