

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-249 of 2019, MA-250-2019 (OA-585 of 2018)

Koushik Adhikari *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
<p><u>03</u> 07.01.2020</p>	<p>For the petitioner : Mr. S. Chakraborty, Learned Advocate.</p> <p>For the respondent : None.</p> <p>Affidavit of service has been filed. Let it be kept with the record.</p> <p>The instant application has been filed praying for a condonation of delay in filing the application as well as recalling of the order dated 28.09.2018 whereby the following order was passed :-</p> <p>“ None for the applicant. It is noted that on earlier two occasions i.e. on 10.09.2018 and 26.09.2018 none appears for the applicant. Moreover the issue involve in this application is compassionate appointment, the father of the applicant expired on on 2012 and the last communication is on 19.02.2014 and 08.09.2014. Therefore, the application is hopelessly barred by limitation. Accordingly, the OA is dismissed with the above</p>	

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Case No. MA-249 of 2019, MA-250-2019 (OA-585 of 2018)

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<p style="text-align: center;">03</p> <hr/> <p style="text-align: center;">07.01.2020</p> <p style="text-align: left;">sc</p>	<p style="text-align: center;">observations.”.</p> <p style="text-align: center;">It is noted that the application was called on earlier two occasions but from very beginning none appeared for the applicant. Even then on 26.09.2018, last chance was granted to the applicant for his appearance on 28.09.2018, however, none appeared for the applicant. In the above background, we had gone through the application and it was found that the application was hopelessly barred by limitation as the cause of action started in the year 2012 and last communication was made on 08.09.2014 even there was no application for condonation of delay. Therefore, on the basis of available materials on record, we had dismissed the application being hopelessly barred by limitation and in that scenario we have become functus officio to hear the matter and/or recall the order as we have passed the order on merit also. Accordingly, both the MAs are dismissed.</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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Page /3 02 ----- 12.04.2019		

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sc P/4 02 <hr/> 15.02.2019		

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