### **ORDER SHEET** WEST BENGAL ADMINISTRATIVE TRIBUNAL

#### Present-

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

	Koushik Adhikari <u>Vs The State of West Bengal &amp;</u>	<u>: Ors</u>
Serial No.	Order of the Tribunal with signature	Office action with date
and	2	and dated signature of parties when necessary
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	For the petitioner : Mr. S. Chakraborty,	
<u>03</u> 07.01.2020	Learned Advocate.	
07.01.2020		
	For the respondent : None.	
	Affidavit of service has been filed. Let it be	
	kept with the record.	
	The instant application has been filed praying	
	The instant application has been med 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 :-	
	" 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	
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03	observations.".	-
07.01.2020		
	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 became 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. RAMESH KUMAR URMITA DATTA (SEN) MEMBER (A) MEMBER (J)	
SC		

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