

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

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

Case No – **MA- 29 of 2020 & MA 30 of 2020 (OA-271 of 2018)**

**Biswanath Kumar 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
4 14.10.2020	<p>For the Applicant : Mr. M. Karim, Learned Advocate.</p> <p>For the Respondent : Mr. G.P. Banerjee, Learned Advocate.</p> <p>The applicant has prayed for recalling order dated August 22, 2019 passed in OA 271 of 2018, by which the original application was dismissed for default. The applicant has also prayed for condonation of delay of 164 days in filing the miscellaneous application.</p> <p>Having heard Learned Counsel representing both parties and on consideration of the contents of both the miscellaneous applications, we are of the view that the Learned Counsel for the applicant was prevented by sufficient cause from appearing before the Tribunal when the original application was dismissed for default. We also find the existence of reasonable cause for the delay in approaching the Tribunal by the applicant for filing miscellaneous application.</p> <p>In view of our above findings, both the miscellaneous applications are allowed. The order dated August 22, 2019 passed in OA 271 of 2018 is recalled on condonation of delay and the original application is restored to its original file and number. Both</p>	

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the miscellaneous applications being MA-29 of 2020 and MA-30 of 2020 are, thus, disposed of.

**( S.K. DAS )**  
MEMBER(A)

**( R. K. BAG )**  
MEMBER (J)

Rajib

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