

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

**The Hon'ble JUSTICE RANJIT KUMAR BAG
& The Hon'ble DR. SUBESH KUMAR DAS**

Case No – MA 51 OF 2017 arising out of OA -710 of 2016

Uttam Ghosh 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 style="text-align: center;"><u>12</u> 26.09.2018</p>	<p><i>For the Applicant : Mr. P.P. Sarkar, Learned Advocate.</i></p> <p><i>For the Respondents : Mrs. M. Mallick, Learned Advocate.</i></p> <p style="text-align: center;"><i>The applicant has prayed for condonation of delay of 10(ten) years and 6 (six) months in filing OA 710 of 2016.</i></p> <p style="text-align: center;"><i>Having heard Learned Counsel representing both parties and on consideration of the materials of record, we find that the order of dismissal affirmed by the revisional authority of the applicant on July 05, 2000 was set aside by this Tribunal on December 06, 2005 in OA 1182 of 2000. On December 06, 2005, this Tribunal gave direction to the concerned respondent authority to give admissible financial benefit to the applicant after his re-instatement in service and to regularise the period of absence of the applicant in accordance with law. It is crystal clear from order dated May 08, 2006 passed by the revisional authority, Deputy Inspector of Police, Presidency Range that the order of the Tribunal has been complied with by re-instatement of the applicant in service and by grant extraordinary leave to the applicant for</i></p>	

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<p><i>H.S</i></p>	<p><i>regularisation of absence of the applicant from duty and by imposing punishment of deduction of two increments from basic pay for a period of one year without affecting future increment and the period of suspension was affirmed. Accordingly, the order of the Tribunal was fully complied with by the Deputy Inspector of Police, Presidency Range.</i></p> <p><i>On consideration of contents of the application, we find that the applicant has miserably failed to explain inordinate delay of more than 10 (ten) years in approaching this Tribunal for direction upon the respondents to comply with order passed on December 06, 2005 in OA 1182 of 2000. Since the applicant has miserably failed to explain inordinate delay of 10 (ten) years in approaching the Tribunal, we are unable to condone the delay as prayed by the applicant.</i></p> <p><i>MA 51 of 2017 is thus disposed of. Consequently OA 710 of 2016 also stands dismissed being clearly barred under Section 21 of the Administrative Tribunals Act, 1985.</i></p>	
	<p>(S.K.DAS) Member (A)</p>	<p>(R.K.BAG) Member (J)</p>