

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Mrs. Urmita Datta (Sen)
& The Hon'ble Dr. Anup Kumar Chanda.

Case No - MA-95 & 96 of 2017 (OA-230 of 2013).

Runu Chakraborty. -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>04</u> 04.06.2018</p>	<p>For the Applicant : Mr. Masud Karim, Advocate.</p> <p>For the Respondent : None.</p> <p>During the course of the hearing, the counsel for the applicant has prayed for recalling of the order dated 05.04.2017 and has submitted that there is some typographical mistake in the application. Therefore, he has prayed for leave to rectify the same.</p> <p>Leave is granted.</p> <p>The instant M.A.-95 of 2017 has been filed for condonation of delay for filing restoration application for recalling of the order dated 13.04.2015 by which the O.A.-230 of 2013 was dismissed for default.</p> <p>The applicant has also filed one M.A.-96 of 2017 for recalling of the order dated 13.04.2015 and to restore the Original Application.</p> <p>According to the applicant, she is the sister of the deceased government employee Aloka Bhattacharyya as General Duty Assistant in Singot Rural Hospital, P.O.-Mathrun, District-Burdwan and also made her</p>	

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	<p>nominee in "Annexure-F" of the Original Application for the Death Gratuity and thereafter, the deceased employee died on 17.10.2011. However, after retirement and during her life time, no settlement dues was paid. Therefore, the applicant has filed this application praying for retiral benefits as per the nomination of the deceased employee.</p> <p>During the course of the hearing, the counsel for the applicant has submitted that due to illness of the advocate, he could not appear. Therefore, the Original Application was dismissed for default on 05.04.2017.</p> <p>The counsel for the applicant has further submitted that since she has a prima facie case on merit being nominee of the deceased employee, unless the Original application would be restored she would suffer irreparable loss and injury. He has prayed for condonation of delay as well as restoration of the Original Application by recalling the order dated 13.04.2015.</p> <p>However, it is noted that none appeared for the</p>	

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Sourav	<p>respondents. Therefore, the applicant is directed to serve a notice to the other side and file affidavit of service.</p> <p>Let the matter be listed on 17.07.2018.</p> <p>DR. A. K. CHANDA MEMBER (A)</p> <p>URMITA DATTA (SEN) MEMBER (J)</p>	