

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – OA 62 of 2020

Joydeb Sarkar vs The State of West Bengal & Others

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;">02 <hr/>11.03.2020</p>	<p><i>For the Applicant : Mr. A. Banerjee, Learned Advocate.</i></p> <p><i>For the State Respondents : None</i></p> <p style="text-align: center;"><i>Affidavit of service filed on behalf of the applicant is kept on record.</i></p> <p style="text-align: center;"><i>Learned Counsel for the applicant submits that the applicant is not willing to proceed with the hearing of the present case on the ground of some technical difficulties, but he is willing to proceed by filing separate application on the same cause of action.</i></p> <p style="text-align: center;"><i>None appears on behalf of the state respondents.</i></p> <p><i>On perusal of record, we find that the father of the applicant retired from government service on January 31, 1996. The date of death of the government employee is not disclosed in the present application. The original applicant prayed for benefit of promotion long after his retirement from service by filing OA- 719 of 2015 which was disposed of on September 29, 2015. Apparently, we find there is delay of almost 24 years in filing the present original application by the son of the deceased employee for claiming the benefit of service of his deceased father.</i></p> <p style="text-align: center;"><i>Under the above circumstances, the applicant is</i></p>	

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permitted to withdraw the original application with liberty to file fresh application on the same cause of action, subject to the provision of Section 21 of the Administrative Tribunals Act, 1985.

Let a plain copy of the order be supplied to the applicant.

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

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

H.S