

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

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

OA- 420 of 2019

Subrata Mukherjee

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><u>02</u> 17.07.2019</p> <p>Page /1</p>	<p>For the petitioner : Mr. S. Dutta, Learned Advocate.</p> <p>For the respondent : Mr. A.De, Departmental Representative.</p> <p>The instant application has been filed praying for setting aside the order dated 28.12.2016 passed by the Respondent No. 3.</p> <p>The Departmental Representative has raised a preliminary objection on the point of limitation as the impugned order was passed in the year 2016 and the instant application has been filed in the year 2019 only. It has been further submitted by the Departmental Representative that the same applicant has also filed another application being No. OA-481 of 2017, which is still pending before this Tribunal on the self same issue. Therefore, he has prayed for rejection of this OA not only on the ground of limitation but also on merit as the initial application was made before four years from the date of his deceased mother. However, the counsel for the applicant has submitted that he has no knowledge about</p>	

ORDER SHEET

Form No.

Subrata Mukherjee

Vs.**The State of West Bengal & Ors.**

. Case No. OA- 420 of 2019

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 17.07.2019</p> <p>SC</p>	<p>the application.</p> <p>We have heard both the parties. Perused the record as well as OA-481 of 2017. It is noted that in OA-481 of 2017 also, the same rejection order dated 28.12.2016 was challenged as has been done in the case of the instant application. Therefore, the instant application is not only barred by limitation but barred by resjudicata also. Therefore, we are constrained to observe that such endeavour to get order by filing different application on the self same cause of action is not only killing the precious time of the Court but also an attempt to mislead the Court. Accordingly, the OA is dismissed with a cost of Rupees One thousand to be payable by the applicant to the State Legal Aid Authority. Let this order be also placed in the file of OA-481 of 2017.</p> <p style="text-align: center;">P. RAMESH KUMAR MEMBER (A)</p> <p style="text-align: center;">URMITA DATTA (SEN) MEMBER (J)</p>	

ORDER SHEET

Form No.

Subrata Mukherjee

Vs.**The State of West Bengal & Ors.**

. Case No. OA- 420 of 2019

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
Page /2 05 ----- 04.07.2019		

ORDER SHEET

Form No.

Subrata Mukherjee

Vs.**The State of West Bengal & Ors.**

. Case No. OA- 420 of 2019

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
sc Page /3 05 <hr/> 04.07.2019		

ORDER SHEET

Form No.

Subrata Mukherjee

Vs.**The State of West Bengal & Ors.**

. Case No. OA- 420 of 2019

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
sc P/4 02 <hr/> 15.02.2019		

ORDER SHEET

Form No.

Subrata Mukherjee

Vs.**The State of West Bengal & Ors.**

. Case No. OA- 420 of 2019

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/5 02 ----- 15.02.2019		

ORDER SHEET

Form No.

Subrata Mukherjee

Vs.**The State of West Bengal & Ors.**

. Case No. OA- 420 of 2019

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
sc		