

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

The Hon'ble Urmita Datta (Sen) Member (J) &amp;

OA-626 of 2014

The Hon'ble Mr. P. Ramesh Kumar, Member (A).

**Bindu Singh****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>17</u> 19.03.2019</p>	<p>For the petitioner : None.</p> <p>For the respondent : Mr. D. Koley, Learned Advocate.</p> <p style="text-align: center;">On the earlier occasion, none appears for the applicant. Since it is a case of 2014 we have heard counsel for the respondents.</p> <p style="text-align: center;">The instant application has been filed praying for following relief :-</p> <ol style="list-style-type: none"> <li>1. Directing the respondent authorities concerned, each one of them, their men, agents, servants, sub-ordinates and/or assigns to forthwith render the benefits of the said Memorandum vide No. 100-EMP/PM-17/79 (Pt.) dated 13<sup>th</sup> March, 1996.</li> <li>2. Directing the respondent authorities concerned, each one of them, their men, agents, servants, sub-ordinates and/or assigns to</li> </ol>	

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Form No.

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<p style="text-align: center;">17 ----- 19.03.2019</p> <p>Page /2</p>	<p>forthwith consider and dispose of the representations of the applicant in the list of the said Memorandum vide No. 100-EMP/PM-17/79 (Pt.;) dated 13<sup>th</sup> March, 1996.</p> <p>3. Directing the respondent authorities concerned, each one of them, their men, agents, servants, subordinates and/or assigns to forthwith transmit and produce the entire records of the case forming the basis of the said Memorandum before the Hon'ble Court, so that conscionable justice may herein be administered.</p> <p>4. Rule NISI in terms of prayers (a), (b) and (c) as above.</p> <p>5. An order do issue directing the respondent authorities concerned, each one of them, their men, agents, servants, subordinates and/or assigns to render the benefits of the said Memorandum.</p>	

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<p style="text-align: center;">17 19.03.2019</p> <p>Page /3</p>	<p>6. Any other order or orders as this Learned Tribunal may deem fit and proper.</p> <p>However, as per the applicant, he was engaged as casual daily labour in the year 1990 on monthly contractual basis to supply of green food after collecting from outside at Sanctuary and cleaning of feeding tub etc. in the office of Forest Beat Officer, Bolpur Beat, Santiniketan, Birbhum under the Deptt. of Forest, Govt. of West Bengal and thereafter he continued for about 23 years serving 240 days in a year. In the year 2007, the applicant came to know that some casual labour will be regularised as per order dated 13.03.1996. Thereafter, the applicant made representation on 08.05.2007 followed by further representation dated 09.01.2013 &amp; 08.04.2013. Thereafter, as the applicant was not granted benefit of the order dated 13.03.1996, he has filed this instant application.</p>	

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<p>17 19.03.2019</p> <p>sc</p>	<p>The counsel for the respondent has raised preliminary objection on the point of limitation being the application is a stale one and this Tribunal vide order dated 06.08.2018 had directed the applicant to satisfy the Court on the point of limitation.</p> <p>Since the applicant is not appearing even today and after going through the documents, it is noted that the applicant has basically prayed for extension of the benefit of the Memo dated 13.03.1996. However, he has filed this instant application in the year 2014 only. Therefore, in our considered opinion, the claim of the applicant is not only a stale one but also the application is hopelessly barred by limitation. Accordingly, OA is dismissed being barred by limitation.</p> <p><b>P. RAMESH KUMAR</b> MEMBER (A)</p> <p><b>URMITA DATTA (SEN)</b> MEMBER (J)</p>	

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P/4  02 <hr/> 15.02.2019		



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