

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

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)

Case No –OA 19 OF 2019

SMT. SATABDI CHOWDHURY 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>2</p> <hr/> <p>01.02.2019</p>	<p>For the Applicant : Mrs. S. Agarwal, Advocate</p> <p>For the Respondents: None</p> <p>Affidavit of service be kept on record. Despite service of notice, none appears on behalf of the respondents.</p> <p>In this application the applicant has prayed for a direction upon the State respondents to allow him to join service. Prayer has also been made to disburse the salary withheld.</p> <p>Heard Mrs. S. Agarwal, learned advocate for the applicant.</p> <p>It is evident from order dated 20th October, 2010 issued by the Labour Commissioner, West Bengal that the applicant was engaged on contractual basis temporarily for a period of one year which was renewable upto three years. Therefore, the cause of action, if any, arose in the year 2013. It is also evident from memo dated 18th</p>	

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SCN.	<p>February, 2015 that the applicant has absented without intimating the authority as a result the work has suffered. It appears that the applicant had made a representation on 30th July, 2015 and thereafter, representations were filed on 7th August, 2015, 11th August, 2015, 10th September, 2015 and 11th March, 2016. Section 21 (I) of the Administrative Tribunals Act, 1985 specifies the period of limitation for filing applications if appeal or representation remains unanswered. According to the applicant the first representation dated 20th July, 2015 remained unanswered. Therefore, he should have come up before the Tribunal within the period of limitation as prescribed under Section 21 (I) of the 1985 Act. Be it noted that successive representations cannot stretch the period of statutory limitation.</p> <p>Therefore, as the applicant was engaged on contractual basis temporarily for a period of one year, no order can be passed on this application. The application is disposed of.</p> <p>(S.K. Das) MEMBER (A)</p>	<p>(Soumitra Pal) CHAIRMAN</p>