

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

**The Hon'ble Justice Ranjit Kumar Bag
& The Hon'ble Dr. Subesh Kumar Das**

Case No –OA-87 of 2019

Priyabrata Ganguly 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 |
|------------------------------------|---|--|
| 02 08.03.2019 | <p>For the Applicant : Mr. A. Roy, Mr. R. Majumder, Mr. N.K. Chatterjee, Learned Advocates.</p> <p>For the Respondents : Mr. G.P. Banerjee, Learned Advocate.</p> <p>Affidavit of service filed on behalf of the applicants today is kept on record.</p> <p>It appears from record that the applicant was absorbed in the post of Lecturer in the Government college on July 14, 1997 w.e.f. April 8, 1994. The applicant has prayed for benefit of Career Advancement Scheme (CAS) w.e.f. January 1, 1996. The applicant retired from service on February 28, 2007. The cause of action for approaching the Tribunal arose on October 24, 2007 when the circular for giving benefit of CAS came into force with retrospective effect from January 1, 1996. The applicant retired from service when the circular for CAS benefit was issued on October 24, 2007. No explanation is forthcoming as to why the applicant waited for long twelve (12) years after retirement for approaching the Tribunal for getting benefit of CAS.</p> <p>With the above background facts we find that the present application is clearly barred under Section 21 of the Administrative</p> | |

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Tribunals Act, 1985. On prayer of Learned Counsel for the applicant, liberty is given to the applicant for filing application under Section 21(3) of the Administrative Tribunals Act, 1985 for explaining the delay of twelve (12) years in approaching the Tribunal within a period of eight (08) weeks from this date.

List the matter under the heading "Admission Hearing" on 23.05.2019.

S. K. DAS
MEMBER(A)

R. K. BAG
MEMBER(J)

Rajib

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| Rajib | | |
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