

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

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

RA 12 of 2019 ( OA- 296 of 2018)

Subhrajit Guha 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>07</u> 02.03.2020</p>	<p>For the petitioner : Mrs. Sonali Mitra, Learned Advocate.</p> <p>For the respondent : Mr. A. De, Departmental Representative.</p> <p style="text-align: center;">The instant RA application has been filed for the following :-</p> <p style="text-align: center;">“That in the order dated 24.05.2019 the averments and annexures made in the original as well as all the medical prescriptions annexed with the MA have not been considered. The details reasons for delay have been mentioned in the MA.</p> <p>As per the counsel for the applicant, while considering the MA application for condonation of delay, the Tribunal did not consider all the documents/prescriptions by the applicant.</p> <p>However, the Departmental Representative has raised the preliminary objection to the maintainability of the RA application as the original judgement dated 24.05.2019 was received by the applicant on 25.06.2019</p>	

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<p style="text-align: center;">07 02.03.2020</p>	<p>and the instant RA application has been filed on 14.11.2019 i.e. beyond 30 days from the date of filing of Review Application. Further, the documents of the applicant for condonation of delay were also not considered by the Tribunal.</p> <p style="text-align: center;">Heard both the parties and perused the records.</p> <p>In the instant case the applicant had enclosed some prescriptions in Annexure-A1 of the MA application No. 61 of 2019 for condonation of delay and while disposing of the OA in paragraph 2 &amp; 3 of the judgement which are as follows :-</p> <p style="text-align: center;">a) The applicant has also filed one MA application for condonation of delay for filing the original application, wherein it has been submitted that he repeatedly approached the authority to allow him to resume his duty. Thereafter, he submitted a representation on 16.02.2015 also. In the meantime, due to acute Arthritis and Hypertension and as advised by</p>	

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