

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 138 of 2023

Sadhan Chandra Das -- VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	: Mr. P. Halder, Mr. S. Balial, Ld. Advocates.
<u>03</u> 21.08.2023	For the State respondent	: Mr. G.P. Banerjee, Ld. Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

Mr. Halder, learned counsel for the applicant submits that the Block Development Officer who had issued the impugned order is not the competent authority to do so. The competent authority being the District Magistrate. So for the question of limitation is concerned in filing this application challenging the impugned order of the year 2012, submission is that this matter was being contested in the High Court which remanded the matter to the Tribunal on 20.02.2023.

In response to the above submissions, Mr. Banerjee, learned counsel for the State respondents submits that the Block Development Officer has the authority to issue such impugned show cause. Further, the application has been filed in this Tribunal challenging the impugned show cause after a lapse of 11 years. Therefore, this application is not admissible in this Tribunal.

Heard the learned counsels.

Let the matter appear under the heading “**Admission Hearing**” on **22.01.2024**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS