

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

The Hon'ble JUSTICE RANJIT KUMAR BAG

& The Hon'ble DR. SUBESH KUMAR DAS

Case No – OA 953 OF 2018

Dipak Samanta v/s 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;">02 <hr/>27.02.2019</p>	<p><i>For the Applicant : Mrs. G. Biswas, Learned Advocate.</i></p> <p><i>For the State Respondents : None</i></p> <p style="text-align: center;"><i>Affidavit of service filed on behalf of the applicant today is kept on record.</i></p> <p><i>Having heard Learned Counsel for the applicant and on consideration of the materials on record, we find that the applicant joined in the post of LDA/Typist on June 22, 1998, whereas one Mainul Hossain Miah joined in the post of Cashier/LDA on December 26, 1997 and one Dinabandhu Mandal joined in the post of Cashier/LDA on January 29, 1998. Learned Counsel for the applicant contends that the applicant was superseded by Mainul Hossain Miah and Dinabandhu Mandal, who have not been impleaded as respondents in the present application. The cause of action for approaching the Tribunal arose in the year 1998 and the applicant has approached the Tribunal by filing the present application in the year 2018. The in-ordinate delay of 20 years have not been explained by the applicant either in the present application or by filing separate application under Section 21(3) of the Administrative Tribunals Act, 1985.</i></p>	

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Form No.

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Apparently, the present application is barred under Section 21 of the Administrative Tribunals Act, 1985.

However, we are inclined to give the applicant an opportunity to explain the delay by filing appropriate application within a period of 4 (four) weeks from this date.

List the matter under the heading “for Order” on 29.04.2019.

(S.K.DAS)
Member (A)

(R.K.BAG)
Member (J)

H.S