

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).14573-14575/2013

(From the judgement and order dated 06/09/2012 in WPST No.270/2012,WPST No.271/2012,WPST No.272/2012 of The HIGH COURT OF CALCUTTA)

PASAN BAURI & ANR. ETC.

Petitioner(s)

VERSUS

STATE OF W.B. & ORS.

Respondent(s)

(With office report)

With

SLP(C)No.14624/2013

(With office report)

SLP(C)No.14869/2013

(With office report)

SLP(C)No.14025-14030/2013

(With appln.(s) for exemption from filing O.T. and office report)

Date: 07/05/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Petitioner(s)

Mr.D.N.Ray, Adv.

Mr.D.Bharat Kumar, Adv.

Mr.Joydip Roy, Adv.

Mr.Balasubrahmanyam Kamarsu, Adv.

Mr. Vishal Arun,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

These petitions are directed against orders dated 06.09.2012 and Corrigendum dated 06.12.2012 passed by the Division Bench of the Calcutta High Court whereby the writ petitions filed by the petitioners questioning the order of the West Bengal Administrative Tribunal (for short, 'the Tribunal') were dismissed on the ground of unexplained delay of six years and also on merits.

In our view, the reasons assigned by the High Court for declining to entertain the petitioners' challenge to the order of the Tribunal are correct and we do not find any valid ground or justification to entertain the special leave petitions more so, because even before this Court, the petitioners had not offered any explanation for delayed filing of the writ petitions before the High Court.

We can take judicial notice of the fact that an application under Section 19 of the Administrative Tribunals Act, 1985 can be filed within a period of one year from the date of the final order. Of course, in an appropriate case, the Tribunal, on being satisfied, with the cause shown by the applicant condone the delay. This being the position, the High Court was fully justified in refusing to entertain the writ petitions filed after six years of dismissal of the original applications filed by the petitioners.

The special leave petitions are accordingly dismissed.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master

