

Item-9. 28-08-2023

MAT 641 of 2012
CAN 1 of 2012 (old CAN 3893 of 2012)

^{sg} Ct. 8

The Director of Pension, Provident Fund & Group Insurance
Versus
Nepal Chandra Mandal & Ors.

Mr. Rezaul Hossain, Adv.

...for the appellant

1. The department has reported that there is a delay of 89 days in filing the appeal but no application for condonation of delay has been filed. The appellant did also not remove the defect.
2. The appeal is otherwise time barred. However, we have heard the learned Counsel for the appellant and proposed to dispose of the appeal on merits.
3. This appeal involves identical question and law as that of MAT 1789 of 2011. We have dismissed the appeal being MAT 1789 of 2011 on merit. For the self-same reasons as mentioned in the order passed in MAT 1789 of 2011 the appeal and the application stand dismissed. However, there shall be no order as to costs.
4. The order of the learned Single Judge, if not complied with in the meantime, shall be complied with within a period of three weeks from date.
5. In view of the fact that the writ petitioner is not represented, the department is directed to communicate this order to the writ petitioner in course of this week and shall report

compliance of this order.

6. The learned Registrar Administration (L&OM) is directed to ensure compliance of this order.

(Uday Kumar, J.)

(Soumen Sen, J.)