

Court No. 8

MAT 83 of 2024

01.02.2024

(AD 11)

(S. Banerjee)

Sudeb Sarkar

Vs.

Union of India & Ors.

with

CAN 1 of 2024

CAN 2 of 2024

Mr. Mahadeb Sarkar

Mr. A. Roy Chowdhury

Mr. Bikash Chowdhury

... for the appellant/petitioner

Re: CAN 1 of 2024

This is an application under Section 5 of the Limitation Act, 1963.

There is a delay of 70 days in filing the instant appeal.

The applicant has sufficiently explained the reason for such delay.

Therefore, CAN 1 of 2024 is allowed.

Re: MAT 83 of 2024 & CAN 2 of 2024

Learned counsel for the appellant submits that although he was removed from service on the allegation that he has produced a fake certificate but, persons similarly placed have been reinstated by the Home Secretary before whom a mercy application is pending.

In such facts and circumstances we cannot direct the Home Secretary, Government of India to consider his prayer.

We are not inclined to interfere with the order passed by the learned Single Judge.

The appeal thus fails.

However, there shall be no order as to costs.

Consequently the application, being CAN 2 of 2024, is also dismissed.

(Uday Kumar, J.)

(Soumen Sen, J.)