

06.03.2026
Item No.26
Ct. No. 1
PG

WP.CT. 56 of 2023
Sri Abhijit Bhattacharya
VS
Union of India & Ors.

Mr. Phatick Chandra Das
Mr. Anurag Chatterjee
.....for the Petitioner

Mr. Souvik Nandy
Ms. Sayani Roy Chowdhury.....for the
Union of India

PER, SUJOY PAUL, CJ.:

1. Parties are represented through their
respective learned counsel.
2. Heard on admission.
3. The challenge is mounted to the
order dated 17.01.2023 passed in
M.A. 45 of 2023 by Central
Administrative Tribunal, Kolkata.
The admitted facts between the
parties are that the petitioner earlier
filed O.A. 262 of 2012, which was
disposed of by tribunal on
10.06.2013 by directing the

respondents to consider the case of applicant in the next Circle Relaxation Committee meeting.

4. Since as per petitioner, the said consideration did not take place, after 10 years he filed M.A. 45 of 2023 under section 27 of Administrative Tribunals Act, 1985 seeking execution of said order dated 10.06.2013 passed in O.A. 262 of 2012. The tribunal rejected it mainly on the ground of delay.

5. Sri Das, learned counsel for petitioner submits that the law makers have not provided any limitation for filing execution petitions under section 27 of the Administrative Tribunals Act, 1985. The respondents were sitting tight over the directions of tribunal dated 10.06.2013. Thus, tribunal was not

justified in rejecting the application on the ground of delay.

6. Learned counsel for the department supported the order.

7. The very purpose of grant of compassionate appointment is to provide a immediate helping hand to the family in distress. The petitioner got the first order, way back on 10.06.2013. If said order was not translated into reality with quite promptitude or within the time prescribed, the petitioner should have immediately approached the tribunal by filing application under section 27 of the said Act.

8. Although no limitation is prescribed under section 27 of the said Act, one cannot come out of his deep slumber after 10 years and file an application. Application in those cases, where no limitation is

prescribed, also must be filed within reasonable time. In absence thereof, the view taken by tribunal must be treated to be a plausible view. This view does not warrant any interference from this Court.

9. Admission is declined.

10. Petition is **dismissed**.

(SUJOY PAUL, CJ.)

(AJAY KUMAR GUPTA , J.)