

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**The Hon'ble Mrs. Urmita Datta (Sen), Member(J)**

**Case No. – MA-52 of 2022 (OA-821 of 2021)**

Jayanti Mukhopadhyay **VERSUS** – The State of West Bengal & Ors.

Serial No. and  
Date of order

For the Applicant

: Mr. M.N. Roy,  
Mr. G. Halder,  
Mr. B. Nandy,,  
Learned Advocates.

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10.06.2022

For the State  
Respondents

: Mr. G.P. Banerjee,  
Learned Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11<sup>th</sup> February, 2022 issued in exercise of the powers conferred under Section 6 (5) of the Administrative Tribunals Act, 1985.

On consent of both the parties, matter has been taken up.

The instant MA has been filed challenging the final order dated 11.04.2022 which according to the applicant, has been passed ignoring the order dated 26.02.2021 passed in erstwhile OA-70 of 2022 whereby the respondents were directed to conclude the Departmental Proceedings within a period of six months from the date of receipt of the order with a rider in default the proceeding should be vitiated as the Departmental Proceedings was initiated vide Show Cause Notice dated 10.09.2015 in the event Second Show Cause Notice issued on 31.10.2017 against which the applicant had submitted his reply. Thereafter, the Disciplinary Authority has to pass final order only. However, without asking for any extension of time or preferring any appeal against the order dated 26.02.2021, the Disciplinary Authority had passed the impugned order dated 11.04.2022 (Annexure-C) even after filing of the instant OA. Therefore, the counsel for the applicant has further submitted the impugned final order is contrary to the order passed by this Tribunal.

The counsel for the respondent has admitted that the final order passed on 11.05.2022. However, he has submitted since pleadings are complete, the matter may be heard finally.

Heard the parties and perused the records. Since balance of

**ORDER SHEET**

Form No.

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convenience is in favour of the applicant and admittedly the final order has been passed after more than six months of stipulated period of time, therefore, let the OA be listed for final hearing on **08.07.2022**.

Since none appeared for the P.S.C., P.S.C. is directed to be present on the next date.

In the interim, Respondents are directed not to give effect of the final order dated 11.05.2022 till disposal of the case. Accordingly, MA is disposed of. **Registry is directed to send a notice to the P.S.C.**

URMITA DATTA (SEN)  
MEMBER (J)

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