

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. MA – 54 of 2022 (OA – 235 of 2022)

Monojit Bagish - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. G. Halder, Advocate
<u>1</u> 08.06.2022	For the Respondents	: Mr. G.P. Banerjee, 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 11th February, 2022 issued in exercise of the powers conferred under Section 6(5) of the Administrative Tribunals Act, 1985.

The counsel for the applicant has prayed for leave to make appropriate amendment in the prayer of the M.A. Prayer is allowed.

The counsel for the applicant has submitted that though vide order dated 11.05.2022, the Disciplinary Authority was directed to consider the representation dated 09.05.2022 filed by the applicant on the issue whether the Disciplinary Proceeding can be kept in abeyance during the pendency of the criminal proceeding since parties and evidences are same in both the proceedings. However, as per the applicant, respondent authority vide his order dated 26.05.2022 had rejected the representation of the applicant. Therefore, he has prayed for quashing of the impugned order and to treat the M.A. as a part of the O.A.

The counsel for the respondent, however, has submitted that since this Tribunal vide order dated 11.05.2022 directed to register the matter on 21.06.2022 and with a interim protection till that day the matter may be heard finally.

In view of the above, the M.A. is allowed.

Let the O.A. be listed on **21.06.2022** under the heading '**Hearing**'.

Interim order to continue till that date.

URMITA DATTA (SEN)
MEMBER (J)

A.K.P.