

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**The Hon'ble Mrs. Urmita Datta (Sen), Member(J) &
The Hon'ble Sayeed Ahmed Baba, Member (A)**

Case No. – MA-82 of 2021 (OA-503 of 2021)

Shubhendu Bhattacharjya **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. M.N. Roy,
Mr. G. Halder,
Learned Advocates.

02
28.09.2021

For the State Respondent : Mr. A. De,
Mr. A. Dutta,
Ms. R. Sarkar,
Departmental Representatives.

The instant application has been filed challenging the final order dated 17.06.2021, which was received by the applicant on 12.08.2021 through the counsel for the applicant and 19.08.2021 by Whats app and Email. The counsel for the applicant has drawn our attention to the last two lines of the order dated 17.06.2021 whereby the applicant was debarred from promotion during the period of undergoing the penalty though he has been punished under Rule 8 (iv) of the W.B.S.(C.C.A.) Rules, 1971, wherein there is no provision of debarment of promotion. The counsel for the applicant has also drawn our attention to the order dated 02.09.2021 passed by the Tribunal in OA-505 OF 2021 and has prayed for extension of benefit of the said order as an interim protection.

The departmental representatives have submitted that the order of departmental proceedings has been passed on the basis of the recommendation of the P.S.C. and has prayed for one accommodation to submit appropriate submission by the next date. Prayer is allowed.

As the balance of convenience is in favour of the applicant, the respondents are directed not to implement the order dated 17.06.2021 till the next date. Let the matter be listed for admission hearing on **16.11.2021**.

Since the circumstances beyond control, the Registry is unable to

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furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.

SAYEED AHMED BABA
MEMBER (A)

URMITA DATTA (SEN)
MEMBER (J)

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