

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – OA-167 of 2022

Bivas Biswas VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	:	Mr. S.K. Nandi, Mr. D. Ghosh Learned Advocates.
<u>03</u> 06.05.2022	For the State Respondents	:	Mr. G.P. Banerjee, Mr. B.P. Roy, Learned Advocates.

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.

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

The instant application has been filed challenging the departmental proceeding on the ground that one enquiry officer was already appointed in the departmental proceedings wherein he has been submitted that his written statement of defence. However, subsequently, O.C. Women P.S., H.P.C. vide message dated 10.03.2022 had again informed the applicant that she has been appointed as Enquiry Officer to conduct the enquiry into the subject. Being aggrieved with he has filed the instant application.

However, counsel for the respondent has submitted that since the erstwhile enquiry officer has been retired without submitting the enquiry report, therefore, a new enquiry officer has been appointed by the disciplinary authority and she has asked the applicant to appear before her to grant him natural justice by way of hearing. However, the applicant did not turn up and has filed this instant application.

In view of the above, the counsel for the respondent is

ORDER SHEET

Form No.

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directed to bring the necessary relevant documents in support of his submission by the next date. Let the matter be listed on **14.06.2022**.

URMITA DATTA (SEN)
MEMBER (J)

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