

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson and Administrative Member

Case No. - OA 218 OF 2024

SHYAM SUNDAR PRAMANIK - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicants : Mr. Subit Kumar Mandal,
and Advocate
Date of For the State Respondents : Mr. Manujendra Narayan Roy,
order Advocate

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29.08.2024

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No.638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under section 5(6) of the Administrative Tribunals Act, 1985.

Mr. Manujendra Narayan Roy, learned counsel prays for accommodation to take instructions and submit his response on the next date.

Today Mr. Subit Kumar Mandal, learned counsel put forth his initial points of submissions and argues that this entire enquiry by the I.C.C. has suffered from serious procedural lapses. To proceed further in an orderly fashion, Mr. Mandal has been advised to prepare and file written notes of arguments upon which his submissions will be based. Let such notes be filed on the next date and copies be served on Mr. Roy.

Mr. Mandal refers to prayer (i) and (ii) under interim order in the application and prays for it. The prayers are as under:

- (i) *“To pass an interim order directing the concerned respondent authorities to forthwith stop the disciplinary proceeding vide No. C/159 dated 06.02.2024 during pendency of the instant Original application.*
- (ii) *To pass an interim order during pendency of the instant application, directing the concerned respondent authorities to restrain themselves to act in any manner, which is prejudicial to the interest of the applicant.”*

Though such prayers for interim order are made, but no ground has been mentioned and submitted. The Tribunal at this initial stage finds the charges against the applicant are very grave. The charges are: *“misbehaviour with a female colleague violating “vishaka*

ORDER SHEET

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Guidelines against Sexual Harassment at Workplace” as well as taking gratification from other office colleagues while discharging his official duties”. Thus, no interim order can be granted. The Tribunal advises the applicant to fully participate in the proceedings and cooperate with the Disciplinary Authority so that such proceedings are concluded at the earliest.

Let the matter appear under the heading “Hearing” on 07.01.2025.

SCN.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON
and MEMBER (A)

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