

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

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

**Present-**

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

**Case No. OA – 682 of 2022**

**Asoke Baran Das - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. For the Applicant : Mr. M.N. Roy,  
and Mr. G. Halder,  
Date of order Advocates  
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14.11.2022

For the State  
Respondents : Mr. G.P. Banerjee,  
Advocate

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 536 – WBAT / 2J-15/2016 dated 26<sup>th</sup> August, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

The instant application has been filed basically challenging the continuation of the disciplinary proceeding along with the criminal proceeding on the self-same ground. During the course of the hearing, the counsel for the applicant has submitted that he has made a representation before the authority not to continue with the disciplinary proceeding till the conclusion of the criminal proceeding as it would disclose the defence and evidence. It has been further submitted that it would suffice the purpose of the applicant if the authority would be directed to consider his representation dated 28.10.2022 which is still pending before the authority and communicate the same within a stipulated period of time and till date the authority would be directed not to take any adverse steps.

The counsel for the respondent has no objection of his representation.

In view of the above, the Respondent No. 2 i.e. Principal Secretary, Public Health Engineering Department, Govt. of West Bengal is directed to consider the

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representation dated 28.10.2022 of the applicant and communicate his decision by way of a reasoned and speaking order within a period of four weeks from the date of receipt of the order.

URMITA DATTA (SEN)  
Officiating Chairperson and Member (J)

A.K.P.