

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. OA – 719 of 2022

Sandip Kumr Paul - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicant : Mr. K. Tewari,
and Mr. T. Tewari,
Date of order Mr. A. Tewari,
3 Advocates
16.12.2022

For the Respondents : Mr. G.P. Banerjee,
Mr. M.N. Roy,
Advocates

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

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

Learned counsel for the applicant prays for certain relief. The relevant portion is hereunder:

“c. To stay all further proceedings of Bidhannagar Police Commissionerate Proceeding No. 01 of 2022 dated 17.01.2022 initiated against the applicant herein till disposal of the Bidhannagar North Police Station Case No. 257 of 2021 dated 11.12.2021, under Sections 354/34 of the Indian Penal Code corresponding to G.R. No. 1506 of 2021 now pending before the court of Learned Additional Chief Judicial Magistrate at Barasat;”

It appears that on the same issue, the applicant had moved the Tribunal in an O.A. 493 of 2022, in which the Tribunal had directed the

ORDER SHEET

Form No.

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respondent to consider the representation of the applicant and pass a reasoned order. In compliance, the respondent, Deputy Commissioner of Police (Headquarter) on 29.09.2022 passed a reasoned order and communicated the same to the applicant. In the reasoned order giving various reasons, the respondent regretted to stay the departmental proceedings against the applicant. Now in this O.A., the learned counsel for the applicant besides pressing other Prayers is praying for staying the further departmental action against the applicant.

Mr. Banerjee supporting the reasoned order passed by the respondent emphasises that the charges against the applicant are grave in nature. Mr. Banerjee opposes the prayer of the learned counsel for the applicant to stay the proceedings.

After hearing the submissions from the learned counsels, I am of the opinion that the charges levelled against the applicant are grave in nature and this Tribunal should not at this stage interfere with the departmental proceedings against the applicant. The prayer for staying the departmental proceeding is not considered.

Let the matter appear under the heading ‘Admission Hearing’ on 07.02.2023.

SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)

A.K.P