

**ORDER SHEET**

**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 119 of 2020**

**SUBHAS CHANDRA NASKAR - Vs - THE STATE OF WEST BENGAL & OTHERS.**

Serial No. and  
Date of order

12  
13.07.2023

For the Applicant : Mrs.Sunita Agarwal  
Advocate  
For the State respondents : Mr.Goutam Pathak Banerjee  
Advocate

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 23<sup>rd</sup> 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.

The prayer in this application is for a direction to the respondent authorities to make a decision on the outcome of charge sheet dated 11.04.2019.

Mr.G.P.Banerjee, learned counsel for the State respondents files a copy of the final order No. 101/2022 dated 12.07.2022 passed against the applicant, the charged officer after completion of the disciplinary proceedings. Let the copy of this be kept on record. Copy has been served upon the applicant side. Submission of Mr.Banerjee is that since the prayer of the applicant in this application has been fulfilled by passing the final order, this application is now infructuous.

Submission of Mrs.S.Agarwal, learned counsel for the applicant is that the respondent did not comply with the direction of the Tribunal to file reply in this application, without filing the reply, the respondent authority passed the final order.

The Tribunal observes that filing of reply by the respondent has no

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connection with the final order. The departmental proceedings is a parallel quasi-judicial function administered by the respondent authorities. Since in this application, the prayer was for a direction to the respondent authorities to take a decision on the outcome of the charge sheet dated 11.04.2019, the same has been responded by the disciplinary authority by passing this final order.

Accordingly, the application is disposed of as infructuous.

**(SAYEED AHMED BABA)**  
**OFFICIATING CHAIRPERSON AND MEMBER (A)**

BLR