

ORDER SHEET

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 1291 of 2014

Abdus Sattar Kazi -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. Sourav Bhattacharjee,
Ld. Advocate.
For the State Respondent : Mr. S.N. Ray,
Mr. M.N. Roy,
Ld. Advocates.

27
20.03.2024

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.

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 to quash the disciplinary proceeding and direct the respondent authority to forthwith release the applicant's terminal benefits.

The Tribunal observes that by filing one MA 109 of 2023 prays for a direction to the respondent authorities to release his 70% pension in terms of the final order dated 25.06.2021. The applicant has chosen to abide by the directions in the final order. The Tribunal also finds that the prayer for setting aside the charge-sheet has now become infructuous in view of the fact that the applicant has prayed for 70% pension in terms of the final order. Secondly, it is observed that again such a final order passed on 25.06.2021 the applicant had not preferred any appeal before the Appellate Authority. This also gives the impression that the applicant was satisfied with the final order and did not file an appeal. Thirdly, the Tribunal observes that the applicant did not prefer any supplementary prayer for moulding the original prayer in this application after passing of the final order in the year 2021.

Having observed the above points, the Tribunal finds that the prayer in this application is no more relevant and has become infructuous.

Therefore, this application is **disposed of**.

CSM

SAYEED AHMED BABA
Officiating Chairperson & Member (A)