

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 191 of 2023

SOMNATH CHAKRABORTY - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and
Date of order

02
15.05.2023

For the Applicant : Mr. S.K.Nandi
Advocate

For the State Respondents : Mr.Manujendra Narayan Roy
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 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.

Affidavit of service filed today be kept on record.

The prayer in this application is to set aside the departmental proceedings as well as findings of the inquiry report. The applicant is a Group-D employee working under 6th Battalion, State Armed Police, Barrackpore.

Submission of Mr.S.K.Nandi is that although the final order was passed after conclusion of the disciplinary proceedings, but no copy of the inquiry report was supplied to the charged officer.

Mr.M.N.Roy, learned counsel appearing on behalf of the State respondent, however, submits that since the charged officer has preferred an appeal before the appellate authority and since such appeal has not been considered and disposed of yet, therefore, this application in this Tribunal is premature and not admissible at this stage.

Submission of Mr.S.K.Nandi is that a direction may be given to the respondent No. 3, The Inspector General of Police, (Armed Police),

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Barrackpore, to consider and dispose of his appeal filed before the authority on 06.06.2022.

Mr.M.N.Roy submits that if such direction is given, the same will be considered as per law.

After hearing the submissions of both the learned counsels, the matter is disposed of by directing the respondent No. 3, The Inspector General of Police, (Armed Police), Barrackpore, to dispose of the appeal furnished by the applicant as charged officer on 06.06.2022 in accordance with prevailing rule within a period of three months from the date of communication of this order.

Accordingly, the application is disposed of.

BLR

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