

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 196 of 2018

Kush Kumar Paul -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. S. Mondal, Ld. Advocate.

For the State Respondent : Mr. S. Ghosh, Ld. Advocate.

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20.02.2024

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.

Submission of Mr. Ghosh is that despite notices to the applicant for appearance before the Vigilance Commission, he has failed to appear. Due to his failure to appear, the disciplinary proceedings are not being concluded. Further, though he has asked for certain documents (Annexure-III), but as evident from the receipt dated 26.06.2013, he had earlier received all these documents.

Mr. Mondal submits that despite several requests before the Disciplinary Authority for supply of documents, till date such documents have not been given to him. Attention has been drawn by Mr. Mondal to a copy of order no. 11 dated 22.05.2023 issued by the State Vigilance Commission. Appearing at the last paragraph, the Vigilance Commission had requested the Disciplinary Authority and Director of Health Services to engage a responsible officer to be in contact with the Commission and facilitate supply of remaining documents to the Charged Officer.

Having heard the submissions of the learned counsels, it is the direction of this Tribunal to the applicant, the Charged Officer to comply with the notices of the State Vigilance Commission and the Disciplinary Authority for appearance whenever called for. The Disciplinary Authority is also directed to verify and supply relevant documents to the Charged Officer, if not supplied earlier. Since prayers of the applicant in OA 656 of 2022, OA 623 of 2013 and OA 197 of 2018 are of similar cause of action, the Tribunal finds that the prayers in this application are repetitive and thus not admissible.

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

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)