

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).**

Case No. – OA 244 of 2018.

ARGHYA MANDAL –Vs- THE STATE OF WEST BENGAL & ORS

Serial No. and  
Date of order

17  
05.7.2023

For the Applicant : Mr. A.K. Chakraborty,  
Advocate.  
For the State respondents : Mr. G.P. 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 counsel for the contesting parties, the case is taken up for consideration sitting singly.

In this application, the applicant has prayed for setting aside the departmental proceedings including the show cause and the final order. A disciplinary proceeding was initiated against the applicant by the respondent and after completion of the procedures, a final order was issued by which a punishment of two increments withheld without cumulative effect.

Submission of Mr. A.K. Chakraborty, learned advocate for the applicant is that the disciplinary authority deviated from the standard practice of giving opportunity to the applicant and also ignored by not allowing the applicant to examine the witnesses.

In response, Mr. G.P. Banerjee, learned advocate for the State respondents submits that the disciplinary authority had followed the procedures thoroughly and it is not a fact that the applicant was not given opportunity.

In the opinion of the Tribunal, since this matter involves various points of law, therefore, this matter be placed before a Bench comprising two Members

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(Judicial and Administrative). Learned counsels also agreed to this.

Let the matter be placed before a Bench comprising two Members (Judicial and Administrative) on 17<sup>th</sup> January, 2024 under the heading "Hearing".

(SAYEED AHMED BABA)  
Officiating Chairperson and Member (A).

Skg.

WEST BENGAL ADMINISTRATIVE TRIBUNAL