

**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 256 of 2023**

**MAHARAM SK**

**- Vs - THE STATE OF WEST BENGAL & OTHERS.**

Serial No. and  
Date of order

01  
15.05.2023

For the Applicant : Mrs. Ashmita Chakraborty  
Ms.T.Santra  
Advocates

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 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.

Affidavit of service filed today be kept on record.

Mrs.A.Chakraborty, learned counsel for the applicant submits that since the learned N.D.P.S. Court has already acquitted the applicant in N.D.P.S. Case No. 136 of 2017, the charges framed by the Department are infructuous and liable to be quashed and set aside.

The Excise Commissioner issued the charges upon the applicant on 23.09.2022. The article of charge communicated to the applicant is for “illicit possession, transportation and disposal of commercial quantity of narcotics drugs” in connection with N.D.P.S. Case No. 136 of 2017.”

Mrs.A.Chakraborty submits that on the next date she will submit further with supporting judgements from the higher Courts.

Mr.M.N.Roy, learned counsel for the State respondent would also like to present his submissions in response to Mrs.A.Chakraborty on the

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next date with relevant judgements.

Heard both the learned counsels, the case is admitted.

Let the matter appear under the heading "Further Hearing" on 13<sup>th</sup> July, 2023. Reply, rejoinder, if any, in the meantime.

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

BLR