

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 300 OF 2025

SK. SERAJUDDIN AHAMAD - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:	Mr. Swapan Kumar Nandi, Mr. Saurav Bhattacharjee, Learned Advocates
<u>1</u> 18.06.2025	For the State Respondents	:	Mr. Gaurav Haldar, Learned Advocate
	For the Principal Accountant General (A&E), West Bengal	:	Mr. Biswanath Mitra, Departmental Representative

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.

Let affidavit of service filed be kept on record.

The applicant has filed this application challenging the final order passed by the Disciplinary Authority on 03.02.2020. Mr. Nandi, learned counsel prays for liberty to amend the relief portion of the prayer. Allowed.

Mr. Gaurav Haldar, learned counsel, having raised the point of limitation also submits that although the applicant, as the charged officer, had the remedy to file an appeal against the final order before the Appellate Authority, but he has not filed any such appeal. Therefore, without exhausting the remedy available to him, his approaching this Tribunal by filing this application is not maintainable.

The applicant has also prayed for liberty to file an application before this Tribunal for condonation of delay occurred in filing this application in terms of Section 21 of the Administrative Tribunal's Act, 1985.

As prayed for, liberty is given to the applicant's side to file an application praying for condonation of delay in filing the original application. Let copy of such application be served upon all the respondents and affidavit of service be affirmed and filed on the next date of hearing.

Since this matter primarily relates to disciplinary proceedings, the Tribunal

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does not find any role of the Principal Accountant General (A&E), West Bengal in this matter. Let the name of the respondent No.5, the Principal Accountant General (A&E), West Bengal be expunged from the array of respondents.

Let the matter appear under the heading "Admission Hearing" on 22.09.2025.

SCN.

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

WEST BENGAL ADMINISTRATIVE TRIBUNAL