

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 35 OF 2023**

NIKHIL BISWAS - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and
Date of order

03
05.12.2023

For the Applicant	:	Mr. D.Pal Advocate
For the State Respondents	:	Mr.Shaon Bhattacharyya 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.

The applicant has prayed for setting aside the entire Disciplinary Proceedings initiated by the Disciplinary Authority including the final order passed imposing punishment of withholding of one increment for 1 (one) year. Submission of Mr.D.Pal, learned counsel for the applicant is that the Disciplinary Authority while conducting the proceedings failed to provide to the Charged Officer, the applicant, the following:

(i) The Inquiry report (ii) Show Cause Notice and (iii) did not allow the charged officer to cross examine the witness.

Mr.S.Bhattacharya, learned counsel for the State respondents prays for adjournment to respond to these submissions of Mr.D.Pal on the next date.

The matter is admitted. Let the matter appear under the heading 'Hearing' on 23rd April, 2024. Reply, rejoinder, if any, in the meantime.

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

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