

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 386 OF 2025

ASOKE KUMAR BISWAS - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:	Mr. Sankha Ghosh, Mrs. Subarna Das, Learned Advocates
<u>2</u> 28.08.2025	For the State Respondents	:	Mr. Shaon Bhattacharya, Learned 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.

Let affidavit of service filed be kept on record.

The prayer in this application is for a direction to the respondent authorities to conclude the Disciplinary Proceedings initiated against the applicant vide Order No.1093 dated 10.07.2024 under the W.B.S.(C.C.A.) Rules, 1971 by passing a final order.

The applicant, while working as Additional Inspector General of Registration & Additional Commissioner of Stamp Revenue, West Bengal holding additional charge of the office of Deputy Inspector General of Registration, Range-IV, Burdwan Division under the Finance Department (Revenue), was charge-sheeted on 10.07.2024 and four charges were framed against him. A departmental proceedings was initiated vide memo No. 1093 dated 10.07.2024. Framing charge-sheet is the first step taken for holding enquiry into allegations. Correctness of allegation is dependent on final outcome of the disciplinary proceedings. There is nothing on record to show whether the final order has been passed or not. In a decision on 16.12.2015 in *Civil Appeal No.958 of 2010 : Prem Nath Bali vrs. Registrar, High Court of Delhi & Anr.*, the Hon'ble Supreme Court of India held that “every employer (whether State or private) must make sincere endeavour to conclude the departmental enquiry proceedings once initiated against the delinquent employee within a reasonable time by giving priority to such proceedings and as far as possible it

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should be concluded within six months as an outer limit. Where it is not possible for the employer to conclude due to certain unavoidable causes arising in the proceedings within the time-frame then efforts should be made to conclude within the reasonably extended period depending upon the cause and the nature of inquiry but not more than a year”.

In view of the above, after examination of the records, the Tribunal comes to the conclusion that a Departmental Proceedings cannot continue for long. The application is disposed of by directing the respondent No.2, the Additional Chief Secretary, Finance (Revenue) Department to conclude the departmental proceedings within a period of six months without allowing any unnecessary adjournment.

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

SCN.