

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 395 of 2023

Debaprasad Manna -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and Date of order
02
15.09.2023

For the Applicant : Mr. M.N. Roy, Ld. Advocate.
For the State respondent : Mr. Shaon Bhattacharya, Ld. Advocate.
For the Pr.AG (A&E), WB : Mr. B. Mitra, Depttl. Rep.

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.

By an order of this Tribunal dated 08.09.2022, the respondent no. 4, the District Registrar, Purba Medinipur and the Disciplinary Authority was directed to conclude the departmental proceedings against the applicant within four months from the date of the order.

Appearing on behalf of the applicant, Mr. Roy submits that such direction has neither been complied nor the disciplinary proceedings have been concluded. In view of such lackadaisical attitude of the respondent authority, Mr. Roy prays for a suitable direction to the respondent authorities.

Appearing on behalf of the respondent no. 4 and the Disciplinary Authority, Mr. Bhattacharya, learned counsel submits that due to non-completion of certain formalities of consulting the State Vigilance Commissioner, the proceedings could not be concluded within the time as directed by the Tribunal. However, he is hopeful as per the instructions given by his office, such proceedings will be concluded shortly.

Having heard the submissions of the learned counsels and having come to the conclusion that the disciplinary proceedings has not been concluded despite lapse of one year, the respondent no. 4, the District Registrar, Purba Medinipur and the Disciplinary Authority is hereby directed to comply with the order of the Tribunal passed on 08.09.2022 and conclude the disciplinary proceedings within the next two months positively, failing which the entire disciplinary proceedings will stand vitiated.

Let the matter appear under the heading “**For Orders**” on **17.01.2024**.

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)