

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 – 426 of 2025

Nilotpal Halder - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

02
02.09.2025

For the Applicant : Mr. S. Bhattacharjee,
Learned Advocate.

For the State : Mr. G.P. Banerjee,
Respondents : Mr. G. Halder,
Learned Advocates.

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.

Affidavit of service filed, be kept with the record.

The applicant has filed this application praying for a direction upon the state respondents to withdraw the impugned order of suspension No. C-1284 E dated 27.12.2024 issued by the Excise Commissioner. Mr. Bhattacharjee refers two copies of representation filed by the applicant and submits that the prayer for review be considered in terms of Notification 9266-F(P) dated 16.11.2012.

In terms of this Notification, a Committee headed by the Addl. Chief Secretary, Finance (Revenue) Deptt. is required to review the case of suspension orders with an objection to determine whether there are sufficient ground for continuation of such suspension orders. The same Notification also required the Committee to review suspension orders within 90 days from the

ORDER SHEET

Form No.

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date of suspension followed by further reviews after 180 days. From the records, the Tribunal finds that, although, the applicant was suspended w.e.f. 27.12.2024 but despite lapse of more than 90 days, such review has not been done.

With this observation the Tribunal disposes of this application by directing the Respondent No. 1, Addl. Chief Secretary, Finance (Revenue) Deptt. to follow the Notification No. 9266 dated 16.11.2012 and review the suspension order No. C-1284 E dated 27.12.2024 of the applicant and record the decision in the Minutes of the Committee's meeting. The Minutes of the meeting be communicated to the applicant two weeks thereafter.

The application is disposed of.

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

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