

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 444 of 2023

Kamal Howlader -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. G.P. Banerjee, Ld. Advocate.

For the State Respondents : Mr. S. Ghosh, Ld. Advocate.

For the PSC, WB : Mr. Sourav Bhattacharjee, Ld. Advocate.

07
05.12.2024

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.

The prayer in his application is for a direction to the respondent authorities to conclude the disciplinary proceeding initiated against the applicant on 21.08.2019. Submission is the disciplinary proceeding initiated in 2019 has been completed, but the disciplinary authority is yet to pass the final order.

Mr. S. Ghosh, learned counsel for the State respondents files a copy of Memo. No. 5999 dated 05.10.2023, which is a reference made by the department to the State Vigilance Commission.

From the submissions of the learned counsels, it is clear that the Vigilance Commission has returned the matter to the Disciplinary Authority. Earlier, the Department had referred the matter to the Vigilance Commission for reconsideration of their recommendation on the quantum of punishment to be imposed upon the applicant, the charged officer.

Submission of Mr. Banerjee is that the disciplinary proceedings initiated in the year 2019 have not been concluded even though the reference to the Vigilance Commission has been completed.

Mr. Ghosh, learned counsel submits that the Disciplinary Authority is now ready to conclude the proceedings by passing a final order.

In view of what has been submitted by the learned counsels, this application is disposed of by directing the respondent no. 2, Secretary, Department of Panchayat and Rural Development to positively conclude the proceedings within three months from the date of communication of this order.

Accordingly, this application is **disposed of**.

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)