

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Officiating Chairperson & Member (J)

Case No. –OA 479 of 2021

Dr. Subhabrata Kumar - **VERSUS** - The State of West Bengal & Ors.

Serial No. and Date of order For the Applicant : Mr. K. Paul,
Learned Advocate.

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07.09.2022 For the State Respondents : Mr. G.P. Banerjee,
Learned Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 536-WBAT/2J-15/2016 dated 26th August, 2022 issued in exercise of the powers conferred under Section 5 (6) of the Administrative Tribunals Act, 1985.

The instant application has been filed by the applicant challenging the disciplinary proceeding, which is pending since 2020. As per the applicant, he was put under judicial custody beyond 48 hours under Section 498A/323/34 of the Indian Penal Code of 22.03.2015 and was released on bail on 01.04.2015. Subsequently, vide letter dated 02.04.2015, he communicated about the same. However, he was Charge Sheeted by Memo dated 08.06.2020, wherein he already filed written statement of defence but till date, the disciplinary proceeding has not been concluded.

During the course of the hearing, the counsel for the applicant has submitted that it would suffice his purpose, if the authority would be directed to conclude the disciplinary proceeding within a short span of time.

The counsel for the respondents has no objection to conclude such disciplinary proceeding.

In view of the above, the respondent no. 1 i.e. Secretary, Health & Family Welfare Department is directed to conclude the disciplinary proceeding and to communicate his decision by way of a

ORDER SHEET

Form No.

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reasoned and speaking order, after granting him appropriate opportunity as per rules, within a period of six weeks from the date of receipt of the order. The applicant is also directed to co-operate with the authority for conclusion of the disciplinary proceeding.

Accordingly, the Original Application is disposed of with above directions with no order as to costs.

Mrs. URMITA DATTA (SEN)
Officiating Chairperson & Member (J)

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