

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 603 OF 2024

SAIKAT BHATTACHARYA - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and

Date of order

07
27.08.2025

For the Applicant : Mr. Gourav Halder
Mrs. Priya Sasmal
Advocates

For the State respondents : Mr. Soumendra Narayan Ray
Advocate

For the Public Service Commission, : Mr. Sourav Bhattacharjee
West Bengal 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.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

Learned counsels appearing on behalf of the applicant are emphatic that the entire disciplinary proceedings was concluded with serious procedural lapses. As instances, the following deviation have been pointed out:

- (i) A copy of the enquiry report was not served upon the Charged Officer, the applicant.
- (ii) The advise of the Public Service Commission was not obtained, if obtained, no copy of such advise of the Commission was served upon the Charged Officer.
- (iii) The District Programme Officer (ICDS) Darjeeling being the Presenting Officer in this proceeding also acted as a witness.

The Tribunal having heard the submissions and after examining the

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records, is satisfied that there appears to be lapses on part of the Disciplinary Authority in following the well laid down procedures required for disciplinary proceedings.

Mr.S.N.Ray, learned counsel appearing on behalf of the respondent authorities does not fully agree.

The Tribunal, until this application is disposed of, passes an interim order directing the respondent No. 2, the Principal Secretary, Department of Women & Child Development & Social Welfare, not to give further effect to the final order dated 21.10.2024.

Let the matter appear under the heading “Further Hearing” on 16th December, 2025.

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

BLR