

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-648 of 2023

Arati Sonar -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. A.K. Das Sinha, Ld. Advocate.

For the State Respondent : Mr. M.N. Roy, Ld. Advocate.

02
19.02.2024

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.

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

By filing this application, the prayer of the applicant is for a direction to the respondent authorities to refund an amount of ₹44,563/- which was deducted from her salaries. It appears that on being absent for 46 days, such deduction of pay from her salaries was done. Though Mr. Sinha admits that such deduction was against her unauthorised absence, but he questions the legality of such an order of such deduction without any procedure being followed. To him, such deduction was arbitrary and whimsical.

Submission is that a direction may be given to the Superintendent of Police, Bongaon Police District to consider her representation regarding such deduction. Mr. Roy, learned counsel agrees, though leave is not a matter of right, but if such a direction is given, the respondent authorities will consider it as per rules.

Having heard the submissions, the Respondent No. 4, the Superintendent of Police, Bongaon Police District is directed to consider her representation dated 26.03.2022 and dispose of the same as per rules.

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

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS