

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. OA - 7 of 2021

Dr. KamalaKanta Saha - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. M.N. Roy, Advocate
<u>3</u> 10.02.2021	For the State Respondents	: None.

The matter is taken up by the Single Bench pursuant to the Notification No. 949 - WBAT/2J - 15/2016 dated 24.12.2020 issued in exercise of the powers conferred under sub section (6) of Section 5 of the Administrative Tribunal's Act, 1985.

Affidavit of service has been filed.

None for the respondent.

As per the applicant, he was charge sheeted on 23.07.2013 (Annexure 'A') and was subsequently retired on 31.01.2014. He had participated in the disciplinary proceedings by way of filing written statement of defence on 05.08.2013 (Annexure 'B'). The proceedings took place and the applicant was served with the second show cause notice on 27.11.2020 (Annexure 'D') against which he replied vide letter dated 04.01.2021 (Annexure 'D'). However, till date no decision has been communicated to the applicant. As per the applicant, he had retired long back in the year 2014. But the respondents with regard to his gratuity or any other retiral benefit, but he had only getting provisional pension on unrevised pay scale. Therefore, the counsel for the applicant has submitted that it would suffice his purpose if the respondent

ORDER SHEET

Form No.

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THE STATE OF WEST BENGAL & ORS.

No. 2 would be directed to communicate the final decision of the disciplinary proceeding within a stipulated period of time.

It is noted that on 27.01.2021 and even today none appears for the respondents.

In view of the above, as more than seven years time has lapsed to conclude the disciplinary proceedings and the applicant also retired in the year 2014, therefore, for the ends of justice, I direct the respondent no. 2 to take final decision with regard to the disciplinary proceedings of the applicant and communicate the same by way of reasoned and speaking order within six months from the date of receipt of the order, in default, the proceedings deem to be dropped.

Accordingly, the O.A. is disposed with no order as to cost.

Parties to act on the web copy of the order.

Mrs. URMITA DATTA (SEN)
MEMBER (J)

A.K.P.