

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 708 of 2022

Madhusudan Mondal - Vs - The State of W.B. & Ors.

Serial No. and
Date of order

For the Applicant : Mr. S.N. Ray,
Learned Advocate.

06
22.05.2024

For the State Respondents : Mr. S. Ghosh,
Learned 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.

From the prayers of the applicant in this application it appears that a Disciplinary Proceedings was initiated against him. On 05.08.2022, Director of Health Services had initiated a Disciplinary Proceedings against the applicant for his misconducts and remaining absent without approval. However, due to non cooperation of the employee, this proceedings could not be concluded till now. It appears from the copy of the report filed by Mr. Ghosh, learned counsel that on several occasions Madhusudan Mondal, the Pharmacist was given opportunity and opportunity to reply but he has refused to receive any communication. Further, he appears to have also refused to attend three times on which his personal appearance was required, though he appeared once on 19.10.2022 but did not submit any defence statement and refused to participate any subsequent enquiry process. Submission of Mr. Ghosh is that due to his non cooperation, the respondent authorities are not able to conclude the Disciplinary Proceedings.

Mr. Ray, learned counsel appearing for the applicant assures that, if directed, the applicant will extend full cooperation to the respondent authorities to conclude the process relating to his Disciplinary Proceedings.

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THE STATE OF WEST BENGAL & OTHERS.

Having heard the submissions of the learned counsels and considering the fact that the Disciplinary Proceedings is still pending due to non cooperation of the applicant, the Tribunal in clear terms directs the applicant, Madhusudan Mondal to extend full cooperation to the respondent authorities in the matter relating to Disciplinary Proceedings. Such cooperation should be unconditional. If the applicant as charged officer complies with the directions of the Tribunal, the respondent authorities are advised to conclude the Disciplinary Proceedings against him within a period of next six months.

Accordingly, the application is disposed of.

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

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