

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 750 of 2022

Biswanath Kumar. - Versus - The State of West Bengal & Others.

Serial No. and Date of order	For the Applicant	: Mr. M. Karim, Advocate.
<u>04</u> 02.08.2023.	For the State Respondents	: Mr. G. P. Banerjee, 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.

The prayer in this application is for setting aside the impugned order passed by the respondent authority dated 02.11.2021. The reasoned order was passed in terms of this Tribunal's direction dated 03.02.2021 in OA-271 of 2018. The Tribunal had directed the respondent authority to consider the representation filed by the applicant before him regarding a disciplinary proceeding. After considering the matter, the respondent was of the view that since the disciplinary proceedings is under way, therefore, the question of promotion is kept in abeyance till disposal of the departmental proceedings. It is also been submitted that in another application, OA-196 of 2020, the same applicant has approached this Tribunal for a direction to the respondent authority relating to the departmental proceedings.

Let this application be listed on the same date (OA-196 of 2020) under the heading "Hearing" on 13.09.2023. Reply and Rejoinder, if any, in the meantime.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A)

CSM/SM