

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 751 of 2022

Prabir Halder -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. D. Ray,
Ms. S. Mukhopadhyay,
Ld. Advocates.
For the State Respondents : Mr. S.N. Ray,
Ld. Advocate.

09
16.07.2024

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.

Mr. S.N. Ray, learned counsel for the respondent authority files copies of reports submitted by the Screening-cum-Enquiry Committee dated 27.09.2019 and 12.11.2020. In the supplementary application filed by the applicant, the impugned Memo No. 840 dated 04.04.2023 has been presented with a prayer to set it aside. In the impugned memo, the Additional Chief Secretary, after giving several reasons, have regretted the prayer of the applicant for appointment on compassionate ground. The primary reason cited in the reasoned order for such rejection was that the applicant had suppressed the material facts during the 1st Enquiry.

Mr. D. Ray, learned counsel for the applicant argues that in the first impugned memo passed by the Additional Chief Secretary, he had directed the Milk Commissioner to verify whether the provisions under Notification No. 26-Emp. was complied or not. However, the Milk Commissioner exceeded his brief by enquiring the matter once more through a 2nd Enquiry Committee.

Heard the learned counsels,

Let the matter appear under the heading “**Further Hearing**” on **13.01.2025**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS