

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. – OA 801 OF 2021

MD. TOUFIKUDDIN - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:	Md.Harun-All-Rashid Advocate
<u>03</u> 13.06.2022	For the State respondents	:	Mr.Biswa Priya Roy Advocate

The matter is taken up by the single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11th February, 2022 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

In this application, Md. Toufikuddin, the applicant, a Constable, (Unarmed Branch) of the Bidhannagar Police Commissionerate, has prayed for a direction upon the respondents to promote him to the rank of Assistant Sub-Inspector of Police (Unarmed Branch).

Md. H.A.Rashid, learned advocate appearing on behalf of the applicant submits though criminal case, being Englishbazar women P.S. Case No. 39 of 2014 dated 5th September, 2014 under section 376 and 493 of IPC is pending against the applicant and since the High Court has granted anticipatory bail on 29th October, 2014 in CRM 13995 of 2014, appropriate order may be passed directing the respondent authorities to grant promotion after considering the representation dated 14th June, 2021, being Annexure-D to the application.

Mr.B.P.Roy, learned advocate for the State respondents submits though criminal case is pending against the applicant, if directed, the respondent authorities will consider the matter regarding promoting the applicant to the post of Assistant Sub-Inspector (Unarmed Branch) in accordance with law.

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THE STATE OF WEST BENGAL & ORS.

Having heard the learned advocates for the parties and considering the facts and circumstance of the case and as prayed for on behalf of the applicant, the application is disposed of by directing the Commissioner of Police, Bidhannagar Police Commissionerate, North 24 Paraganas, the respondent no. 4 to dispose of the representation filed by the applicant on 14th June, 2021 praying for promotion by passing a reasoned order to be communicated to the parties within fifteen weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal after giving an opportunity of hearing and after verifying the records.

(SOUMITRA PAL)
CHAIRMAN

BLR