

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 835 of 2019.

BARUN KUMAR RABIDAS – VS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

16
2.2.2023

For the Applicant : Mr. B. Shaw,
Advocate.
For the State respondents : Mrs. S. Agarwal,
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.

Earlier on 12th December, 2012, this Tribunal had revoked the suspension order of the applicant, who was involved in a criminal case. However, the Tribunal also ordered that if suspension is revoked “...the fate of the suspension period shall be decided only after the criminal case..”. The prayer in this application being incremental benefits as well as sixteen years Career Advancement during the period under suspension is to be decided.

On being asked, whether the criminal case is still pending or not, Mrs. S. Agarwal, learned counsel for the State respondents submits that the criminal case is not yet concluded. The applicant has not been acquitted from the charges under the criminal case. Therefore, the question of sanctioning the incremental benefits and sixteen years benefit does not arise at this stage.

It is therefore the understanding of this Tribunal that the prayer in this application cannot be considered at this stage since the criminal charges are still not disposed of by the appropriate Court. Therefore, the question of granting those benefits to the applicant does not arise. Accordingly, the matter is disposed of.

Sk.

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

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Form No.

SUNIT MOYRA.

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