

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 882 of 2016

Dr. Syamal Kumar Pandey -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	: Mr. M. Karim, Ms. P. Chakraborty, Ms. S. Khatoon, Ld. Advocates.
<u>19</u> 21.12.2022	For the State respondent	: Mrs. S. Das, Ld. 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 applicant is for setting aside the impugned order of the respondent dated 14.03.2016 by which 75% of admissible pension was deducted as punishment after the departmental proceedings were concluded. Mr. Karim, learned counsel appearing on behalf of the applicant submits that the departmental proceedings so initiated and the resultant action taken against the applicant has no legal force because such action was taken after the employee had retired.

It appears that on earlier occasion, the Tribunal had asked the respondent to submit their replies, which has not been submitted till today.

Mrs. S. Das, learned counsel appearing on behalf of Mr. S. Ghosh, learned advocate-on-record for the State assures that by the next date, the reply of the State will be submitted.

Let the matter appear under the heading “**Admission Hearing**” on **07.02.2023**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS