

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member (J)

Case No. – OA 96 of 2022

Monojit Bagish -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. M.N. Roy,
Learned Advocate.
For the State respondent : Mr. G.P. Banerjee,
Learned Advocate.

04
07.04.2022

Both the counsels for the applicant and the State respondents have submitted that inadvertently in paragraph 3, the grounds stated in the petition have been quoted instead of relief. Therefore, he has prayed for necessary correction. Heard the parties and perused the records.

In view of the above, the relief portion in paragraph 3 of the Order Sheet dated 31.03.2022 would be replaced as follows :

“(a) An order do issue thereby quashing/setting aside the Disciplinary Proceeding so initiated against the applicant vide Departmental Proceeding No. 01/2017 immediately as the respondent authorities have miserably failed to conclude the departmental proceeding within six months of time as depicted by the Hon'ble Supreme Court of India in the matter of Prem Nath Bali –Vs- The Registrar, High Court of Delhi and another being the law of land pronounced under Article 141 of the Constitution of India, as well as solemn order dated 05.08.2021 passed by this Hon'ble Tribunal in OA No. 340 of 2021.

(b) An order do issue directing the respondent authorities to allow your applicant all service benefits in accordance with law within a stipulated time as this Hon'ble Tribunal may deem fit and proper in the ends of Justice after quashing/setting aside the Departmental Proceeding No. 01/2017 so initiated against the applicant.

(c) A further order do issue directing the respondent authorities to transmit records pertaining to the instant case so that conscionably justice can be done.

(d) Any other appropriate order/orders direction/directions as this Hon'ble Tribunal may deem fit and proper to protect the right of the applicant and in the ends of justice.”

Let this order be treated as part of the original order dated 31.03.2022.

Since for circumstances beyond control, the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.

**Mrs. URMITA DATTA (SEN)
MEMBER (J)**

CSM/SS