

**ORDER SHEET****WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Urmita Datta (Sen) &  
The Hon'ble Dr. A.K. Chanda.

MA-69 OF 2018 (OA-1111 of 2017)

Aloke Sarkar

Vs

The State of West Bengal & Others.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p><u>02</u> 18.05.2018</p>	<p>For the applicant : Mr. Manujendra Narayan Roy, Learned Advocate.</p> <p>For the respondent : Mr. Soumendra Narayan Roy, Learned Advocate.</p> <p>The instant MA application has been filed praying for following reliefs :-</p> <p>An order do issue upon the respondent authorities, not to give any effect or effects of the impugned departmental proceeding being no. 47F.T/O/1e-18/2016 S.T. dated 11<sup>th</sup> January, 2017 issued by the Joint Secretary, Finance (Revenue) Department against the applicant OR stay the enquiry proceeding which is being conducted by the Respondent No. Iv) till disposal of the matter.</p> <p>However, during the course of hearing, counsel for the respondent has submitted that by this application the applicant has prayed for :-</p> <ol style="list-style-type: none"> <li>1. One complaint letter dated 1.2.2016 and</li> <li>2. The transcription of day to day hearing</li> </ol>	

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<p style="text-align: center;">02 18.05.2018</p>	<p>conducted by Mr. Sajal Barui, Assistant Commissioner of Commercial Taxes and which the counsel for the respondent has handed over to the applicant today.</p> <p>Therefore, according to the respondents the main prayer of the applicant has already been redressed. However, counsel for the applicant has submitted that since he has received the aforesaid two documents he may be granted leave to file defence reply with regard to these documents before the enquiring authority. The counsel for the respondent has no objection for the same.</p> <p>In view of the above the respondents are directed to accept the reply to the charge sheet and proceed with the enquiry de novo. The applicant is directed to submit his reply within fifteen days before the enquiring authority. The MA is disposed of accordingly.</p>	

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<p style="text-align: center;">02 18.05.2018</p> <p style="text-align: center;">SC</p>	<p style="text-align: center;">The counsel for the applicant has further submitted that since his main grievance for supply of aforesaid documents has already been meted out, the OA may be disposed of with direction to the disciplinary authority to conclude the disciplinary proceeding. Accordingly, the OA &amp; MA are disposed of with above observation and direction. No order as to costs.</p> <p style="text-align: center;">DR. A.K. CHANDA MEMBER (A)</p> <p style="text-align: center;">URMITA DATTA (SEN) MEMBER (J)</p>	

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