

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

**The Hon'ble JUSTICE RANJIT KUMAR BAG
& The Hon'ble DR. SUBESH KUMAR DAS**

Case No – OA 1161 OF 2016

Jitendra Nath Mondal Vs **The State of West Bengal & Ors.**

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 style="text-align: center;">12 <hr/>20.02.2019</p>	<p><i>For the Applicant : Mr. N.D. Paitandi, Learned Advocate.</i></p> <p><i>For the State Respondents : Mr. R.A. Chowdhury, Learned Advocate.</i></p> <p style="text-align: center;"><i>The applicant has prayed for direction upon the respondents to consider the representation submitted by the applicant before the respondent no. 2 on October 14, 2014.</i></p> <p style="text-align: center;"><i>Learned Counsel for the applicant did not press for hearing of other prayers of the applicant and other prayer have already been deleted by way of amendment of prayer of the original application on February 14, 2019.</i></p> <p style="text-align: center;"><i>The contention of the applicant is that the applicant retired from service on July 31, 2014 but departmental proceeding started against the applicant is still pending for final disposal before disciplinary authority for which the applicant has already filed separate original application before this Tribunal. The grievance of the applicant is that the representation submitted by the applicant before respondent no. 2 on October 14, 2014 has not yet been considered and thereby the applicant is deprived of his personal belongings / dues from the</i></p>	

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Government. On the other hand, Learned Counsel representing the state respondents submits that the issue of disciplinary proceeding initiated against the applicant is still pending for adjudication before this Tribunal.

Having heard Learned Counsel representing both parties, we are of the view that the respondent no. 3 should consider the representation of the applicant by passing necessary order after giving the applicant an opportunity of hearing. Accordingly, the respondent no. 3, the Additional Principal Chief Conservator of Forests, Human Resource Development, Government of West Bengal is directed to consider the representation submitted by the applicant before Chief Conservator of Forests, South-East Circle, West Bengal on October 14, 2014 by passing necessary order after giving an opportunity of hearing to the applicant, if the matters involved in the representation are not subject matter of the disciplinary proceeding within a period of 12 (twelve) weeks from the date of communication of the order.

With the above direction, the original application is disposed of.

Let a plain copy of the order be supplied to both parties.

(S.K.DAS)
Member (A)

(R.K.BAG)
Member (J)

H.S

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