

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member (J) &
The Hon'ble Dr. Subesh Kumar Das, Member (A).

OA-29 of 2019

Jawaid Siddiqui 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;"><u>11</u> 01.10.2020</p>	<p>For the petitioner : Mr. S.N. Roy, Learned Advocate.</p> <p>For the respondent Mr. G.P. Banerjee, Learned Advocate.</p> <p>The matter was heard on 06.03.2020 by the Bench comprising of Mrs. Urmita Datta (Sen), Member (J) and Mr. P. Ramesh Kumar, Member (A) in the open Court by dictating order. Though the order was signed by the Member (J), however, as in the meantime, Mr. P. Ramesh Kumar has resigned from service and the pandemic situation had started therefore, the said order could not be signed by the Administrative Member. Since the matter was dictated in open Court, this Bench now pass the same order in presence of both the parties. The same order is quoted below :-</p> <p style="text-align: center;">“The instant application has been filed challenging the disciplinary proceeding. However, during the course of hearing, the counsel for the applicant has submitted since another criminal proceeding is going on the self same cause of action, therefore, the disciplinary proceeding may be stayed till the disposal of the criminal proceeding otherwise the</p>	

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<p>11 01.10.2020</p> <p>SC</p>	<p>evidences would be disclosed and it would hamper the case of the criminal proceeding. However, in the meantime he made a representation on 09.01.2020, which was received by the authority on 16.01.2020 for reconsideration of his prayer for stay of disciplinary proceeding on the aforesaid ground.</p> <p>Since the applicant has approached the authority for consideration of his case for stay of the disciplinary proceeding till the disposal of the criminal case, which is going on the self-same issue, therefore, we direct the Disciplinary Authority to consider the representation of the applicant as per law after granting him an opportunity of personal hearing by way of reasoned and speaking order within a period of 6 (six) weeks from the date of receipt of this order. In the meantime, the respondent is also directed to file reply. Let the matter be listed on 21.05.2020."</p> <p>List the matter on 04.12.2020.</p> <p>SUBESH KUMAR DAS MEMBER (A)</p> <p>URMITA DATTA (SEN) MEMBER (J)</p>	

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