

**ORDER SHEET****WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-****The Hon'ble Mrs. Urmita Datta (Sen), Member(J)****The Hon'ble Mr. P. Ramesh Kumar, Member(A)****Case No – OA- 302 of 2017.****Sribas Basu. 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>08</p> <hr/> <p>19/03/2019</p>	<p>For the Applicant : Mr. G.P. Banerjee, Advocate.</p> <p>For the State Respondents: Mr. D. Koley, Advocate.</p> <p><i>The instant application has been filed challenging the punishment order dated 28.02.2017 passed by the appellate authority as well as the final order dated 05.06.12 passed by the disciplinary authority.</i></p> <p><i>During the course of hearing the counsel for the applicant has fairly submitted that as the charges levelled against the applicant has been found proved in a disciplinary proceeding. However, he has been punished with a punishment of 25% cut in pension on permanent basis.</i></p> <p><i>Therefore, the counsel for the applicant has prayed for that the authority may be directed to re-visit the punishment and to pass a reasoned and speaking order within a stipulated period of time. The counsel for the respondent has no objection to such proposition.</i></p> <p><i>We have heard both the parties and perused the records. It is noted that the applicant has been</i></p>	

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Sribas Basu.

Form No. ....

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GM	<p><i>inflicted with a punishment of 20% cut in pension on permanent basis though the charges against the applicant has already been proved.</i></p> <p><i>In view of the submission made by the parties, we quash and set aside the final order as well as appellate order to the extent of quantum of penalty only and direct the appellate authority to re-consider the case of the applicant with regard to the quantum of punishment only and consider his case compassionately and take a decision and communicate the same within a period of three months from the date of receipt of the order. However, we made it clear that we have not observed anything on merit. Accordingly, the OA is <b>disposed of</b> with the above direction.</i></p> <p><b>P. RAMESH KUMAR MEMBER(A)</b>                      <b>URMITA DATTA (SEN) MEMBER(J)</b></p>	