

ORDER SHEET

Form No.

Shubhendu Bhattacharya

Vs.

The State of West Bengal & Ors..

Case No. OA -420 of 2020

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;">02</p> <hr/> <p style="text-align: center;">11.12.2020</p> <p>Page /2</p>	<p>the issuance of show cause notice.</p> <p>The counsel for the applicant has also referred the case of Prem Nath Bali Vs. Registrar, High Court of Delhi & Another reported in (2015) 16 SCC 415 has referred the paragraph 28 of the said judgement, which is as follows :-</p> <p style="text-align: center;">“Keeping these factors in mind, we are of the considered opinion that every employer (whether State or Private) must make sincere endeavour to conclude the departmental enquiry proceedings once initiated against the delinquent employee within a reasonable time by giving priority to such proceedings and as far as possible it should be concluded within six months as an outer limit. Where it is not possible for the employer to conclude due to certain unavoidable causes arising in the proceedings within the time frame then efforts should be made to conclude within the reasonably extended period depending upon the cause and the nature of inquiry but not more than a year.”</p> <p>The Departmental representatives for the respondents has placed one communication dated 25.10.2019 issued by the P.S.C., W.B. and has submitted that they have to take steps accordingly.</p>	

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