

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

**The Hon'ble Justice Ranjit Kumar Bag
& The Hon'ble Subesh Kumar Das**

Case No –OA 1100 OF 2017

Mithun Dutta 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;">2</p> <hr/> <p>04.07.2018</p>	<p>For the Applicant : Mr. S.N. Ray, Learned Advocate.</p> <p>For the State Respondent : Mr. A.L. Basu, Learned Advocate.</p> <p>The respondent no. 4 passed an order on May 19, 2014 by which pay and allowances of the applicant for three days during the month of May 2014 was deducted for wilful violation, gross negligence and dereliction of official duty in terms of Rule 3B of WBSR Pt. I.</p> <p>Mr. Roy, Learned Counsel for the applicant submits that the respondent no. 4 has no authority to deduct salary as the applicant has not violated any direction and is not liable for gross negligence or dereliction of duty. On the other hand, Mr. Basu, Learned Counsel for the respondents contends that the applicant has suppressed copy of show-cause notice wherefrom the conduct of the applicant will be properly appreciated.</p> <p>Having heard Learned Counsel representing both parties, the original application is admitted for hearing. The applicant is directed to file affidavit enclosing copy of show-cause notice within a period of 4 weeks. The respondents are directed to file reply</p>	

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Rajib	<p>within a period of 4 weeks and rejoinder, if any, may be filed by the applicant within a period of 2 weeks thereafter. List the matter under the heading "Reply/Rejoinder" on 15.11.2018.</p> <p>The issue of limitation remains opens for decision at the time of final hearing of the case.</p> <p>(Dr. S.K. Das) Member (A)</p> <p>(R.K. Bag) Member (J)</p>	

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