

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

The Hon'ble Mrs. Urmita Datta (Sen)
& The Hon'ble Dr. Anup Kumar Chanda.

Case No –OA-322 of 2018.

Kallol Guha. –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>01</u> 05.06.2018</p>	<p>For the Applicant : Mr. Goutam Pathak Banerjee, Advocate.</p> <p>For the Respondent No.-01. : Mrs. Ruma Sarkar, Mr. Aniruddha De, Mr. Abhijit Datta, (Departmental Representatives). (Land & Land Reforms Department).</p> <p>The instant application has been filed mainly challenging the impugned order dated 09.02.2018, which was passed in pursuance to the direction of this Tribunal dated 03.11.2017.</p> <p>According to the counsel for the applicant, the applicant came before this Tribunal earlier in O.A.-298 of 2016 mainly with a grievance relating to the refusal of the prayer by the authority to provide him a “lawyer / defense helper” in course of proceedings before the Disciplinary Authority. After hearing both the sides, the Tribunal set aside the memo. dated 09.12.2015 and direct the authority to revisit the entire issue and pass a necessary order. However, while passing the order the authority though rejected the claim of legal practitioner but did not consider the issue providing “Defense Helper” as directed by this Tribunal in the earlier occasion.</p> <p>The counsel for the applicant has also filed</p>	

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Sourav	<p>affidavit of service be kept with the record.</p> <p>However, Mrs. Ruma Sarkar, Departmental Representative for the Land & Land Reforms Department has submitted that she has not received any brief from her department. Therefore, she is not in a position to make an appropriate submission and asked for some time.</p> <p>Therefore, the applicant has prayed for stay of operation of the disciplinary proceedings as an interim measure.</p> <p>Heard the parties and perused the records. As the balance of convenience is in favour of the applicant.</p> <p>The respondents are directed to take instruction and to file reply by 12.06.2018. Till such interim, the Disciplinary Proceedings shall be kept in abeyance till the next date of hearing.</p> <p>Let the matter be listed on 12.06.2018.</p> <p>DR. A. K. CHANDA MEMBER (A)</p> <p>URMITA DATTA (SEN) MEMBER (J)</p>	