

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-407 of 2019.**Subrata Roy. 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 style="text-align: center;">07</p> <p>-----</p> <p style="text-align: center;">24-09-2019</p>	<p>For the Applicant : Mr. D. Sur, Advocate.</p> <p>For the State Respondent : Mr. S. N. Roy, Advocate.</p> <p>The instant application has been filed praying for quashing of the suspension order dated 12-03-2019 by which the applicant was put under suspension on 05-03-2019 under Rule 71 (1) (a) (b) of WBSR. However subsequently the applicant was granted bail on 04-04-2019. Thereafter he made a representation on 08-04-2019 to the Superintending Engineer, Burdwan (Annexure-A) praying for allowing him to re-join. Subsequently he has approached this Tribunal on 13-06-2019.</p> <p>The Counsel for the respondent has raised preliminary objection that the application is premature one as the applicant</p>	

ORDER SHEET

Subrata Roy

Form No.

Vs.**The State of West Bengal & Others.**Case No. **OA-407 of 2019**

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
Mihir	<p>was already suspended on 12-03-2019 and he made a representation on 08-04-2019 thereafter immediately approached this Tribunal within 2(two) months. Even he has not waited for the statutory period of review of the suspension. Therefore he has prayed for dismissal of the OA being premature.</p> <p>We have heard the parties and perused the records. It is noted that the applicant made a representation in the month of April and approached the authority in the month of June and does not wait at least 6(six) months from the date of this representation as per the provision of Administrative Tribunal Act, 1985. Therefore in our consider opinion that the application is premature one. Accordingly, the application is dismissed being premature.</p> <p>P. RAMESH KUMAR MEMBER(A)</p> <p>URMITA DATTA (SEN) MEMBER(J)</p>	

ORDER SHEET

Subrata Roy

Form No.

Vs.

The State of West Bengal & Others.

Case No. OA-407 of 2019

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