

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

The Hon'ble Urmita Datta (Sen) Member (J) &  
Hon'ble P. Ramesh Kumar, Member (A)

OA-551 of 2018

Sudipa Chatterjee

Vs

The State of West Bengal & Ors..

| Serial No. and Date of order.<br>1 | Order of the Tribunal with signature<br>2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Office action with date and dated signature of parties when necessary<br>3 |
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| <p><u>01</u><br/>30.08.2018</p>    | <p>For the applicant : Mr. Sugata Bhattacharya,<br/>Learned Advocate.</p> <p>For the respondent : Mr. G.P. Banerjee,<br/>Learned Advocate.</p> <p>Affidavit of service is filed. Let it be kept with the record.</p> <p>The instant application has been filed praying for following relief :-</p> <p>a) To hold that the Respondent No. 2 being the Inquiring Authority appointed to enquire into the charges framed in the Charge Sheet against the Applicant under the Order No. 1672-FT/O/1E-45/17 ST dated September 20, 2017, has neither any authority nor jurisdiction to enquire into matters extraneous to or unconnected with or not included in the Articles of Charge in the Charge Sheet.</p> |                                                                            |

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| <p>01<br/>30.08.2018</p>           | <p>b) To direct the Respondents more particularly, the Respondent No. 3 to forthwith take up and dispose of the Inquiry against the applicant within a finite and specified time.</p> <p>c) To pass such further order or orders, as may render complete relief and justice to the applicant.</p> <p>According to the applicant, she was initially suspended vide order dated 18.04.2017. Subsequently she was charge sheeted on 20.09.2017. As per the applicant, she filed the written statement against the said charge sheet on 17.10.2017. However, according to the applicant, enquiring authority vide different communications had asked for reply to certain facts, which are beyond the scope of charge sheet. Being aggrieved with, she has filed this instant application.</p> <p>The counsel for the applicant further submitted that the documents/information asked for by the</p> |                                                                            |

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| <p style="text-align: center;">01</p> <hr/> <p>30.08.2018</p> <p>Page /3</p> | <p>respondents are beyond the scope of the charge sheet. Therefore, she cannot submit any information in this regard and accordingly she has prayed that the disciplinary proceeding should be completed within a stipulated period of time.</p> <p style="text-align: center;">The counsel for the respondent has, however, raised preliminary objection that as the applicant is not challenging the charge sheet and the disciplinary proceeding is under process, therefore, the instant application is premature one.</p> <p style="text-align: center;">Heard the parties. During the course of hearing, the counsel for the applicant has submitted that it would suffice her purpose if the respondents be directed to complete the disciplinary proceeding within a stipulated period of time.</p> <p style="text-align: center;">Accordingly, disciplinary authority is directed to complete the disciplinary proceeding after granting the applicant an opportunity of making</p> |                                                                                  |

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| <p style="text-align: center;">01<br/>-----<br/>30.08.2018</p> <p style="text-align: center;">SC</p> | <p>submission and personal hearing as per rules and law and to conclude the proceedings by way of passing final order within a period of three months from the date of receipt of this order. The petitioner is directed to cooperate with the proceedings. Accordingly the application is disposed of with the above observations and directions with no order as to costs.</p> <p style="text-align: center;"><b>P. RAMESH KUMAR</b><br/><b>MEMBER (A)</b></p> <p style="text-align: center;"><b>URMITA DATTA (SEN)</b><br/><b>MEMBER (J)</b></p> |                                                                                  |

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