

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

The Hon'ble Smt. Urmita Datta (Sen), Member (J)

&amp; The Hon'ble P. Ramesh Kumar, Member (A)

Case No OA-756 of 2018

Parimal Kr. Ganguly –Vs- The State of West Bengal &amp; 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;"><u>1</u> 5.12.2018</p>	<p><i>For the Applicant : Mr. H. Ghosh, Advocate.</i></p> <p><i>For the Respondent No. 1,2 &amp;3 : Mrs. M. Mallick, Advocate.</i></p> <p style="text-align: center;"><i>Affidavit of service filed be kept on record.</i></p> <p><i>The instant application has been filed praying for a direction upon the State Vigilance Commission and the Enquiry Authority to drop the proceedings against him. As per the applicant, State Vigilance Commission has started enquiry on certain allegations for defalcation of money. However he has not been served some documents as prayed by him. The counsel for the respondent has raised preliminary objection that the application is premature one as it is a preliminary enquiry and till date no charge sheet has been issued. Therefore the applicant instead of praying for dropping of his enquiry at this preliminary stage should appear before the State Vigilance Commission and make his appropriate submission before them.</i></p> <p><i>We have heard both the parties and perused the records. It is noted that the State Vigilance Commission is investigating a preliminary enquiry to ascertain</i></p>	

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A.K.P.	<p><i>allegations of defalcation of money wherein the applicant has been called to make his submission and till date as per the applicant also, no charge sheet has been issued against him. Therefore, in our considered opinion, no cause of action has been arisen at this stage and the application is premature one. Accordingly, the O.A. is dismissed being premature one with no order as to cost.</i></p> <p><b>P. RAMESH KUMAR</b> <b>MEMBER (A)</b></p> <p><b>URMITA DATTA (SEN)</b> <b>MEMBER (J)</b></p>	