

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-839 of 2019.**Biswajit Mitra. 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>06</p> <p>-----</p> <p>23-12-2019</p>	<p>For the Applicant : Mr. A. Halder, Advocate.</p> <p>For the State Respondents : None.</p> <p>The instant application has been filed praying for arrear salary as well as quashing of the order dated 29-01-2019 and 22-02-2019 whereby the applicant was not allowed to join his duty on different grounds. However as per the applicant, he had repeatedly approached the authority for joining his duty but he was not allowed to join his duty. Moreover his salary has already been stopped from February, 2019 without initiating any disciplinary action as per Rules. It is noted that the respondents were granted repeated opportunities to file reply in this regard, but the Counsel for the respondent is not present today nor any reply has been filed.</p>	

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Mihir	<p>During the course of the hearing, the Counsel for the applicant has submitted that the applicant is going to be retired on 31st December, 2019 and till date no disciplinary action has been initiated against him however salary has been stopped. Therefore his salary/arrear salary may be paid as an interim measure and he may be allowed to join his duty.</p> <p>Heard the Counsel for the applicant and perused the records. In view of the above, respondents are directed to allow the applicant to join immediately. In the meantime respondents are directed to file reply by 4(four) weeks and rejoinder, if any, by 2(two) weeks thereafter as a last chance. Let the matter be listed for reply and rejoinder on 02-03-2020. The respondents are also directed to act upon the communication of this order made by the Learned Counsel for the applicant immediately before his retirement.</p> <p>P. RAMESH KUMAR MEMBER(A)</p> <p>URMITA DATTA (SEN) MEMBER(J)</p>	

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