

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson and Administrative Member

Case No. –OA 202 OF 2024

TAZUDDIN AHAMED SHAFIL IMAM - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:	Mr. Gautam Pathak Banerjee, Learned Advocate
	For the State Respondents	:	Mr. Manujendra Narayan Roy, Learned Advocate
<u>4</u> 26.06.2025			

The matter is taken up by the single Bench pursuant to the order contained in the Notification No.638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under section 5(6) of the Administrative Tribunals Act, 1985.

The prayer in this application is for setting aside the impugned reasoned order dated 07.12.2011, issued by the Deputy Inspector General of Police, Murshidabad Range along with the final order dated 31.01.2003 passed by the Disciplinary Authority and the Appellate Order dated 10.06.2003 passed by the Appellate Authority.

The father of the applicant, Obaidur Rahaman, since deceased, a police constable at Haridaspur I.C.P. under the district, North 24-Parganas, was suspended on 14.03.2001. The suspension order was withdrawn by the 1st Disciplinary Authority, the Superintendent of Police, North 24 Parganas on 06.04.2001. A departmental proceeding was levelled against the father of the applicant on 06.04.2001 for gross negligence of government duty. The enquiring officer after enquiry submitted the report before the S.P., Murshidabad and the final order was passed on 31.01.2003. By way of filing O.A. No.826 of 2003 the same was challenged by the applicant and after thorough hearing of the case of the applicant a Division Bench had passed its order on 14.06.2001 wherein the order dated 10.06.2003 was set aside and the respondent authority was directed to pass a reasoned order within 16 weeks. In terms of the order of the Tribunal, the respondent authority, the Deputy Inspector General of Police, Murshidabad Range, passed its reasoned order dated 07.12.2011.

After examination of the records, the Tribunal comes to the conclusion that the

ORDER SHEET

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reasoned order dated 07.12.2011 has been challenged by filing this original application on 18.04.2024 after more than 13 years, therefore, the application is seriously barred by limitation. It is observed that the enquiry had been conducted in accordance with the principle of natural justice, it was judicious and the punishment was proper. Since there is no infirmity or biasness or procedural error in the departmental proceedings and as the government employee, during his lifetime, had not challenged, therefore, the present applicant, son, has no locus standi to challenge an order dated 07.12.2011 on 18.04.2024. Therefore, the Tribunal will not interfere with the reasoned order passed by the respondent authority. The application is disposed without passing any orders.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON
and MEMBER (A)

SCN.