

**ORDER SHEET**  
**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 208 OF 2025**

**SHYAMAL KANTI MONDAL - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. For the Applicant : Mr. Dipankar Saha,  
and Mr. Shaon Bhattacharya,  
Date of Learned Advocates  
order

2 For the State Respondents : Mr. S.N. Roy,  
26.06.2025 Learned Advocate

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 23<sup>rd</sup> 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 a direction to the respondent authorities to set aside the charge sheet dated 23.04.2024 and the entire departmental proceedings initiated against the applicant after seven years of the complaint and at the verge of retirement.

The applicant, while working as DSWO, Murshidabad, was charge-sheeted on 23.04.2024 for taking bribe as per complaint lodged by one Firoj Ahmed of Jalangi on 20.02.2017. After seven years of the complaint, a departmental proceedings was initiated vide memo No.2501 dated 23.04.2024. The applicant superannuated on 31.01.2025. Framing charge-sheet is the first step taken for holding enquiry into allegations. Correctness of allegation is dependent on final outcome of the disciplinary proceedings. There is nothing on record to show whether the final order has been passed or not. In a decision on 16.12.2015 in *Civil Appeal No.958 of 2010 : Prêm Nath Bali vrs. Registrar, High Court of Delhi & Anr.*, the Hon'ble Supreme Court of India held that “every employer (whether State or private) must make sincere endeavour to conclude the departmental enquiry proceedings once initiated against the delinquent employee within a reasonable time by giving priority to such proceedings and as far as possible it should be concluded within six months as an outer limit. Where it is not possible for the employer to conclude due to certain unavoidable causes arising in the proceedings within the time-frame then efforts

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*should be made to conclude within the reasonably extended period depending upon the cause and the nature of inquiry but not more than a year”.*

In view of the above, after examination of the records, the Tribunal comes to the conclusion that a Departmental Proceedings cannot continue for long. The application is disposed of by directing the respondent No.2, the Principal Secretary, Women and Child Development and Social Welfare Department to conclude the departmental proceedings within a period of three months failing which the entire proceedings will be vitiated.

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

SCN.