

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. OA - 320 of 2020

Swajan Shome - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. A.K. Niyogi, Advocate.
<u>3</u> 06.01.2021	For the State Respondent	: Mr. G.P. Banerjee, Advocate.

The matter is taken up by the Single Bench pursuant to the Notification No. 949 – WBAT/2J – 15/2016 dated 24.12.2020 issued in exercise of the powers conferred under sub section (6) of Section 5 of the Administrative Tribunal's Act, 1985.

As Bench was not scheduled on 05.01.2021 and today the matter has been listed under the heading 'To Be Mentioned' for fixing further date.

The instant application has been filed praying for following relief:

“(a) A direction upon the respondents, particularly the Appellate Authority, Respondent no. 2 to consider and dispose of the appeal within 30 days or alternatively in the event the appeal is not considered and disposed of within 30 days the punishment order so passed may not stand in the way to consider the case of the applicant for promotion to the post of Deputy Superintendent of Police;

(b) Issuance of any other order or orders and/or direction as this Hon'ble Tribunal may

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deem fit and proper.”

As per the applicant, one disciplinary proceeding was initiated on 22.06.2018. Subsequently final order was passed on 28.02.2020. Being aggrieved with, the applicant had preferred appeal on 11.03.2020. But till date no order has been passed by the Appellate Authority. During the course of the hearing, the counsel for the applicant has submitted that it would suffice his purpose if the authority would be directed to pass appellate order within a stipulated period of time after granting him personal hearing.

The counsel for the respondent has no objection.

In view of the above, the Appellate Authority is directed to pass his appellate order within a period of eight weeks from the date of receipt of the order by way of reasoned and speaking order after granting the applicant an opportunity of personal hearing.

Accordingly, the O.A. is disposed of with no order as to cost.

Parties are directed to act upon the web copy of the order.

Mrs. URMITA DATTA (SEN)
MEMBER (J)

A.K.P.