

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble SAYEED AHMED BABA, Officiating Chairperson & Member (A)

Case No. – OA- 503 of 2022

Pravakar Gain VERSUS – The State of West Bengal & Ors..

Serial No. and
Date of order

For the Applicant :

Mr. S. Ghosh,
Mrs. Subarna Das,
Learned Advocates.

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11.05.2023

For the State
Respondents :

Mrs. S. Agarwal,
Learned Advocate.

For the P.S.C. ,W.B.

Mr. S. Bhattacharjee,
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 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

Vakalatnama filed by Mr. Ghosh, learned counsel appearing on behalf of the applicant be kept with the record.

In this prayer, the applicant has prayed for setting aside the final order of punishment passed by the disciplinary authority upon the applicant on 16.06.2022. By this order, a punishment of "censure" as well withholding promotion for one year has been imposed upon the applicant, the charged officer.

Submission of Mr. Ghosh is that although, disciplinary authority took the advice of the Public Service Commission, however, copy of such advice was not supplied to the applicant which the respondent, the disciplinary authority was bound to do as per well settled law.

Mrs. Agarwal prays for accommodation to file reply on behalf of the respondent by the next date.

Let the matter appear under the heading for Orders on **11.10.2023.**

SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)

SC