

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 524 OF 2024

TAPAN KUMAR MUKHAPADHYAY - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and
Date of order

04
26.06.2025

For the Applicant : Mr. Soumendra Narayan Ray
Advocate

For the State Respondents : Mr. Gourav Halder
Advocate

For the Principal Accountant : Mr. Biswanath Mitra
General (A&E) West Bengal (Departmental representative)

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 the learned counsels and the learned Departmental representative for the contesting parties, the case is taken up for consideration sitting singly.

Mr.S.N.Ray, learned counsel for the applicant has submitted that although the Tribunal had disposed of this matter on 19.06.2025 by passing a direction upon the respondent No.3, the Joint Director, Directorate of Textiles (Sericulture) Bolpur, Birbhum, but no time frame has been mentioned by which such direction is to be complied. Mr.G.Haldar, learned counsel submits that if specific time frame is given in the order, the same will be complied.

In view of above submissions, let last paragraph of the order dated 19.06.2025 be modified and corrected as follows:

In view of the above observations, the Tribunal comes to the conclusion that the impugned memo. No.32 dated 17.10.2023 is not tenable and thus quashable, therefore, it is quashed and set aside. The

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Form No.

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Vs.

Case No **OA 524 OF 2024**

THE STATE OF WEST BENGAL & OTHERS.

Tribunal directs the respondent No.3, the Joint Director, Directorate of Textiles (Sericulture), Bolpur, Birbhum to issue necessary order for refund of the recovery amount within a reasonable period of time preferably within six months in terms of the judgement passed in Rafiq Masih(supra) and as per Rules and re-submit a fresh proposal to the Principal Accountant General (A&E). The office of the Principal Accountant General (A&E) is directed to act accordingly.

Let this order be treated as a part of the order dated 19.06.2025.

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

BLR