

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 603 OF 2024

SAIKAT BHATTACHARYA - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and
Date of order

03
20.05.2025

For the Applicant	:	Mr. Manujendra Narayan Roy Mr. Gourav Haldar Advocates
For the State Respondents	:	Mr. Soumendra Narayan Ray Advocate
For the Public Service Commission, West Bengal	:	Mr. Sourav Bhattacharjee 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 the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

The prayer of the applicant in this application is for setting aside the final order by Memo. 6521 dated 21.10.2024. By passing this final order, the Disciplinary Authority, the Principal Secretary, Department of women & Child Development and Social Welfare imposed a punishment of withholding two increments with cumulative effect. Mr.M.N.Roy, learned counsel appearing for the applicant argues that the Disciplinary Authority concluded the entire proceedings without serving a copy of inquiry report to the charged officer, this applicant. Further, the Disciplinary Authority either did not consult the Public Service Commission or if consulted, copy of Commission's advice was not communicated to the charged officer. Mr.Roy has also submitted that the entire disciplinary proceedings lacks credibility due to the fact that the District Programme Officer (ICDS) Darjeeling not only acted as the Presenting Officer, but also acted as one of the witnesses in the

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proceedings. Mr.Roy having presented the above argument prays for an interim direction not to give effect to the punishment imposed in the final order dated 21.10.2024.

Mr.S.N.Ray, learned counsel appearing on behalf of the respondent authority wishes to file a reply covering all the points argued by Mr.M.N.Roy. Let such reply be filed and a copy be served. Mr.S.Bhattacharjee, learned counsel has submitted that since the Commission does not have either any role in this application or any allegation against which has been agitated by the applicant, therefore, the name of the Public Service Commission be expunged from the array of the respondents.

Let the matter appear under the heading "For Orders" on 17th June, 2025. Reply, rejoinder, if any, in the meantime.

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

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