

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 674 OF 2022

KANCHAN ROY - Vs - THE STATE OF WEST BENGAL & OTHERS

Serial No. and
Date of order

05
18.01.2024

For the Applicant : Mr. Soumendra Narayan Ray
Mrs. Sonali Mitra
Advocates
For the State Respondents : Mr. Manujendra Narayan Roy
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.

In this matter, the applicant has prayed for setting aside the impugned order No. 0517 dated 30.08.2022. By this final order after conclusion of the disciplinary proceedings, the respondent authority imposed the penalty of withholding 3 annual increments with cumulative effect. The same impugned order also declared that the suspension period should not be treated as “spent on duty”.

The learned counsel of both the parties are with the Tribunal in its view that since this matter relates to disciplinary proceedings and since it involves various points of law, it would be fair if this matter is placed before and heard by a Bench comprising two Members (Judicial and Administrative).

In view of the above observation, let this matter be heard by a Bench comprising two Members (Judicial and Administrative) under the heading ‘Hearing’ on 23rd September, 2024. Reply, rejoinder be filed by then.

BLR

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

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THE STATE OF WEST BENGAL & OTHERS.

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