

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-****The Hon'ble Urmita Datta (Sen) Member (J) & OA-694 of 2018****The Hon'ble P. Ramesh Kumar, Member (A)****Sambhu Nath Bhowmick****Vs****The State of West Bengal & Ors.**

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with dated signature and dated signature of parties when necessary 3
<p style="text-align: center;"><u>04</u> 22.01.2019</p> <p>Page /1</p>	<p>For the applicant : Mr. A.N. Sen, Mr. S. Mondal, Mr. S.K. Mondal, Learned Advocates.</p> <p>For the respondent : Mr. M.N. Roy, Learned Advocate.</p> <p style="text-align: center;">Affidavit of service is filed. Let it be kept with the record.</p> <p style="text-align: center;">The instant application has been filed praying for following relief :-</p> <ol style="list-style-type: none"> 1. The Respondent authorities directing the appellate authority to dispose of the appeal filed by the applicant on 22.02.2016 (Annexure-J). 2. To pass any such other order or orders as to Your Lordships may deem fit and proper. 3. To pass an order directing the respondents to dispose of the appeal after giving an opportunity to the applicant. 	

ORDER SHEET

Form No.

Sambhu Nath Bhowmick

Vs.

The State of West Bengal & Ors

Case No. OA-694 of 2018

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p style="text-align: center;">04 22.01.2019</p>	<p style="text-align: center;">During the course of hearing, the counsel for the applicant was charge sheeted on the ground of proven bigamy for which he was dismissed from service vide order dated 28.09.2007. Being aggrieved, he has preferred one application challenging the punishment order before this Tribunal and this Tribunal vide order dated 19.08.2009 after observing the second marriage, allow the petition for the interest of his family and set aside the punishment order with the direction to the authority to reinstate the petitioner with a leave to the authority to impose punishment other than dismissal, removal from service.</p> <p style="text-align: center;">Being aggrieved with, the respondent authorities have filed one WPST application being No. 689 of 2009 before the Hon'ble High Court on 18.12.2009 and the Hon'ble High Court vide their order dated 12.11.2013 had affirmed the order of this Tribunal and, thereafter, the applicant was reinstated and as per leave of the Court, petitioner was imposed penalty of withholding one increment for a period of two years with</p>	

ORDER SHEET

Form No.

Sambhu Nath Bhowmick

Vs.

The State of West Bengal & Ors

Case No. OA-694 of 2018

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p style="text-align: center;">04 22.01.2019</p> <p style="text-align: right;">Page /3</p>	<p>cumulative effect. However, the applicant again approached this Tribunal against the said order and this Tribunal vide order dated 23.09.2015, had dismissed the OA with liberty to the applicant to file an appeal before the authority.</p> <p style="text-align: center;">As per the applicant, he preferred an appeal before the appellate authority on 22.02.2016 but till date no decision has been communicated to him.</p> <p style="text-align: center;">Being aggrieved with, he has filed this instant application.</p> <p style="text-align: center;">Mr. M.N. Roy is appearing on behalf of the respondents has submitted that the applicant did not preferred appeal before the appropriate appellate authority. Therefore, there is no question of disposing of the appeal by the appellate authority.</p> <p style="text-align: center;">We have heard and perused the record. However, according to the applicant, he has</p>	

ORDER SHEET

Form No.

Sambhu Nath Bhowmick

Vs.

The State of West Bengal & Ors

Case No. OA-694 of 2018

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p style="text-align: center;">04 22.01.2019</p> <p style="text-align: center;">sc</p>	<p>preferred appeal before the appropriate appellate authority.</p> <p style="text-align: center;">In view of the above, the authority before whom the applicant has filed the appeal, is directed to dispose of the appeal within a period of eight weeks by passing a speaking and reasoned order in accordance with law and to communicate the same within a period of six weeks thereafter. Accordingly, the OA is disposed with the above observation and direction with no order as to costs.</p> <p style="text-align: center;">P. RAMESH KUMAR MEMBER (A)</p> <p style="text-align: center;">URMITA DATTA (SEN) MEMBER (J)</p>	

ORDER SHEET

Form No.

Sambhu Nath Bhowmick

Vs.

The State of West Bengal & Ors

Case No. OA-694 of 2018

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
P/4 02 ----- 18.01.2019		

ORDER SHEET

Form No.

Sambhu Nath Bhowmick

Vs.

The State of West Bengal & Ors

Case No. OA-694 of 2018

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
sc P/5 10 <hr/> 14.09.2018		

ORDER SHEET

Form No.

Sambhu Nath Bhowmick

Vs.

The State of West Bengal & Ors

Case No. OA-694 of 2018

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
SC		

ORDER SHEET

Form No.

Sambhu Nath Bhowmick

Vs.

The State of West Bengal & Ors

Case No. OA-694 of 2018

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
---	---	--