

22
24.04.2024
S.D.

**R.V.W. 32 of 2024
With
CAN 1 of 2024
CAN 2 of 2024
in
WP.ST 289 of 2012**

**Dr. Dipak Chatterjee
Vs.
The State of West Bengal & Ors.**

Mr. Soumya Majumder
Mr. Rahul Kanaka
Ms. Gargi Goswami
..For the petitioner
Mr. Tapas Kumar Mukherjee
Ms. Tuli Sinha
...For the State

Petitioner seeks review of the order dated July 19, 2023 disposing of WP.ST 289 of 2012.

Learned advocate appearing for the petitioner submits that the department imposed a penalty *inter alia* of treating the period between 1997 to 2003 as “*dias non diem*” so far as the petitioner is concerned.

State is represented.

The manner in which the departmental proceedings were conducted right upto the stage till it received the consideration of the Tribunal was discussed in the order dated July 19, 2023.

We find that the quantum of punishment imposed could not be said to be inappropriate.

The point now sought to be urged was not urged before us on July 19, 2023.

Be that as it may, we find that the petitioner received a fair hearing in the departmental proceeding. The order imposing punishment stood the test of judicial scrutiny at the Tribunal level as also before us.

Quantum of punishment is within the domain of the employer.

In any event, we find no material to review our order dated July 19, 2023.

R.V.W. 32 of 2024 is dismissed without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)