

W.P.S.T. 49 of 2025

**The State of West Bengal & Ors.
Vs.
Debaprasad Manna & Anr.**

Mr. Suman Ghosh,
Mr. Moniruzzaman

...for the Petitioners

Mr. M. N. Roy,
Mr. Biswarup Nandy

...for the Respondents

1. Heard the learned counsel for the petitioners and the learned counsel for the respondents.
2. A charge memo of 2013 was issued against the respondent which culminated in submission of an enquiry report on 16.06.2017. An order of punishment was passed against him on 24.08.2018. The petitioners availed the departmental remedies and thereafter approached the West Bengal Administrative Tribunal ('S.A.T.' for short) by filing O.A. No. 825 of 2018.
3. The S.A.T. vide its order dated 08.09.2022, interfered with the orders passed in the departmental proceedings as the same was not founded on examination of any witness; and thus obviously without affording an opportunity of cross-examination to the delinquent/respondent. The matter was thus remanded to the Enquiring Authority to hold a proper enquiry and proceed in

accordance with law, with a view to conclusion of the proceedings within four months from the date of receipt of the order.

4. The order was not complied with. The time frame stipulated therein was not adhered to by the respondents and the time for concluding the proceedings lapsed. The delinquent thus approached the S.A.T.
5. The delinquent in the meantime had crossed the age of superannuation in the year 2018 itself. The continuance of the proceedings thus resulted in deprivation of certain retiral benefits to the delinquent. He, thus, prayed before the S.A.T. that the authorities be restrained from proceeding further in the said matter based on a charge memo of the year 2013. O.A. No. 395 of 2023 filed by the delinquent was finally disposed of on 06.11.2024.
6. The S.A.T. was of the view that there was inordinate delay due to which the proceedings stood vitiated. A direction was, thus, issued to the respondent/District Registrar, Purba Medinipur & Disciplinary Authority to process the pensionary dues of the delinquent. This order is under challenge in the present proceedings.
7. When the matter is taken up, a prayer has been made by the learned counsel for the writ petitioner

upon instructions from the authorities that further time be granted for concluding the proceedings which are likely to be concluded within a few months.

8. We are not inclined to accept such submission. On the basis of a cavalier instruction, for further time to conclude the proceedings in July, 2025 in respect of proceedings initiated by a charge memo issued 12 (twelve) years back, in the year 2013.
9. Such prayer has to be viewed keeping in background the conduct of the authorities which is apparent from the records and sequence of events recorded hereinabove. Despite repeated opportunity, the authorities have not taken any efforts to conclude the proceedings, till date.
10. We are of the view that any further leniency is not required. The authorities by their conduct have disentitled themselves to any further time for conclusion of the proceedings.
11. We, therefore, do not find any reason to interfere with the order dated 06.11.2024 passed by the S.A.T. in O.A. No. 395 of 2023.
12. The Writ Petition being **W.P.S.T. No. 49 of 2025** is dismissed.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)