

6th November, 2025
(D/L No.21)
Ct. No.4
(SKB)

W.P.S.T.54 of 2025

Ashok Kumar Ray
Versus
The State of West Bengal and others

Mr. Sukumar Ghosh,
Mrs. Moumita Ghosh
... for the petitioner.

Mr. Biswabrata Basu Mallick, Id. AGP,
Mr. Sayan Ganguly
... for the State.

1. The petitioner approached the West Bengal Administrative Tribunal (in short 'Tribunal') with the relief of setting aside of the departmental proceeding leading to issuance of a punishment order. The punishment order was assailed before the Appellate Authority. The Appellate Authority took a lenient view of the issues regarding petitioner's unauthorized absence, in view of the fact that he requested that he would be making an application for VRS.
2. The specific assertion of the respondents in the present proceedings is that no such application for VRS was made by the petitioner. Therefore, there was no occasion to consider an application for VRS.
3. The petitioner approached the Tribunal for setting aside the final order dated 15.05.2013

passed in the departmental proceedings and the order passed by the Appellate Authority. However, from the order passed by the Tribunal, it appears that no submissions were advanced by the applicant/petitioner's advocate as regards infirmity in the proceedings leading to issuance of the order of punishment dated 15.05.2013.

4. In these proceedings also no submission is advanced with respect to any alleged infirmity in the departmental proceeding though the reliefs sought for in the Original Application filed before the Tribunal was in the following terms:

“(a) An order do issue setting thereby aside/quashing/revoking/cancelling/rescinding/with drawing the Departmental Proceeding being Burdwan District Proceeding No.15/11 dated 11.03.2011 vide D.O. No.1481 dated 11.03.2011, findings of the enquiry, second show cause notice, final order vide DO No.1792 dated 15.05.2013, Appellate Order vide DO No.2208 dated 27.06.2013, Revisional Order vide DO No.1271 dated 19.04.2014 with immediate effect.

(b) A further order do issue directing the respondent authorities to reinstate your applicant immediately in service with all consequential service benefits after setting aside the Departmental Proceeding being Burdwan District Proceeding No.15/11 dated 11.03.2011 vide D.O. No.1481 dated 11.03.2011, findings of the enquiry, second show cause notice, final order vide DO No.1792 dated 15.05.2013, Appellate Order vide DO No.2208 dated 27.06.2013, Revisional order vide DO No.1271 dated 19.04.2014.

(c) An order do issue directing the respondent authorities to transmit all relevant records and Papers pertaining to the entire departmental proceeding so that conscionable justice be delivered.

(d) Any other appropriate order/orders direction/directions as this Hon'ble Tribunal may deem fit and proper to protect the right of the applicant and in the ends of justice.”

5. Since no submissions were advanced in support of the claim in the O.A., there is no occasion for this court to proceed to consider such claim.
6. For the above reasons, this court does not find any infirmity in the order passed by the Tribunal.
7. On the last date, we requested the learned AGP to intimate the court whether the petitioner was paid any amount/s due under the head GPF and Group Insurance. According to the learned AGP, the dues have already been paid. The learned counsel for the petitioner does not deny or dispute such assertion.
8. In the above noted facts and circumstances, there is no occasion for this court to interfere with the order passed by the West Bengal State Administrative Tribunal in exercise of the jurisdiction under Article 226 of the Constitution of India.
9. The writ petition is, accordingly, dismissed.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)