

07.11.2025
(D/L-05)
Ct. No.4
(B.K.N.)

W.P.S.T. 225 of 2025

**Satyajit Chatterjee
Vs.
The State of West Bengal & Ors.**

Mr. Sabyasachi Chatterjee,
Mr. Rishabh Ahmed Khan,
Mr. Tirupati Mukherjee
...for the Petitioner

Mr. Amal Sen, Ld. AGP,
Ms. Munmun Ganguly
...for the State Respondents

Mr. Srijan Nayak,
Ms. Rituparna Maitra
...for the Respondent Nos. 3, 4 & 5

1. Heard learned advocate for the writ petitioner and the learned advocate for the respondents.
2. The petitioner has been proceeded against by a charge memo dated 02.05.2022. The proceedings thereafter have been conducted and based on findings of the enquiry authority, the charges were found proved and the disciplinary authority proposed to impose penalty upon the petitioner being the penalty of reduction of pay. The petitioner was called upon to submit his reply. By a communication dated 08.08.2025 instead of responding to the show cause containing the proposed penalty he has rushed to the West Bengal Administrative Tribunal. The matter is pending before the Tribunal.

3. At this stage the learned advocate for the petitioner submits that the petitioner prayed for a stay. It is his submission that since the Tribunal has not granted the stay he has invoked the writ jurisdiction. He further submits that during pendency of the writ petition the sole member, i.e., Chairman of the Tribunal has retired, and as on date, the Tribunal is without any member.
4. Considering the facts and circumstances recorded hereinabove we find that the petitioner despite opportunity, has chosen not to respond to the show cause dated 08.08.2025, containing the proposed penalty, rather he has invoked the jurisdiction of the West Bengal Administrative Tribunal against a show cause issued by the Disciplinary Authority containing the proposed punishment. No grounds are made out for passing an order staying the show cause notice. We, therefore, do not find any infirmity in the fact that the Tribunal did not stay the show cause notice by granting an interim order. Since the matter is pending before the Tribunal we refrain from making any further observation in respect of the merit of the pending proceeding before the Tribunal.
5. The writ petition is disposed of.

6. Urgent Photostat Certified copy of this order, if applied for, be supplied to the parties upon compliance with all necessary formalities.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)