

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

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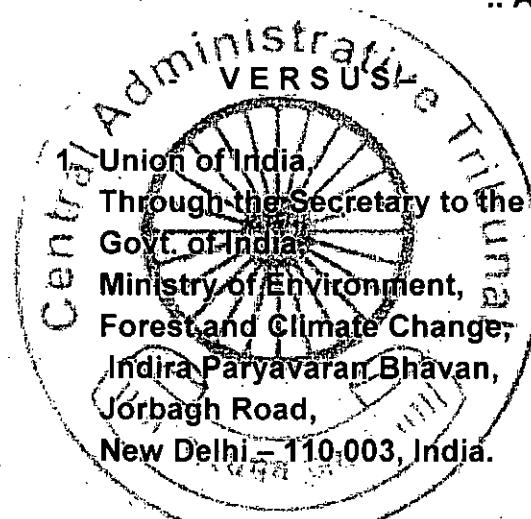
No. O.A. 350/01755/2018

Date of order: 16.1.2019

Present : Hon'ble Ms.Bidisha Banerjee, Judicial Member
Hon'ble Dr.NanditaChatterjee, Administrative Member

Alankar Kumar Jha,
 Son of Late Chandra Shekhar Jha,
 Aged about 60 years,
 Working as Addl. Principal Chief Conservator
 Of Forests in the Office of PCCF and HoFF,
 Govt. of West Bengal at present
 Residing at 2A, Rishi Apartment,
 Garia Main Road,
 Kolkata – 700 084.

.. Applicant



2. State of West Bengal through the Chief Secretary to Govt. of West Bengal, Nabanna 13th Floor, 325 Sarat Chatterjee Road, Shibpur, Howrah – 711 102.
3. The Principal Secretary to Govt. of West Bengal, Department of Forest, 2nd Floor, Aranya Bhawan, Block LA-10A, Sector – III, Salt Lake, Kolkata, West Bengal, Pin – 700 098.
4. The Principal Chief Conservator of Forest And Head of Forest Force, Govt. of West Bengal, Directorate of Forest,

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4th Floor, Aranya Bhawan,
LA-10A, Sector - III,
Salt Lake, Kolkata,
West Bengal - 700 098.

.. Respondents

For the Applicant : Mr. C. Sinha, Counsel

For the Respondents : Ms. A Kunda, Counsel

O R D E R

Per Dr.NanditaChatterjee, Administrative Member:

The instant Original Application has been filed under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:-

"(a) To set aside and quash Impugned Order No. 2797-FR/O/G/VIZ-10/2015 dated 17.10.2016 issued by the Principal Secretary to the Govt. of West Bengal.

(b) To set aside and quash Impugned Order No. 12-FR/O/G/VIZ-10/2015 dated 02.01.2017 issued by the Principal Secretary to the Govt. of West Bengal.

(c) To set aside and quash Impugned order No. 1850-FR/O/G/VIZ-10/2015 dated 16.6.2017 issued by the Principal Secretary to Govt. of West Bengal.

(d) To set aside and quash Impugned Order No. 4255-FR/O/G/VIZ-10/2015 dated 14.12.2017 issued by the Principal Secretary to the Govt. of West Bengal.

(e) To set aside and quash Impugned Order No. 1120-FR/O/G/VIZ-10/2015 dated 12.6.2018 issued by the Principal Secretary to the Govt. of West Bengal.

(f) To direct the respondents to treat the entire period of deemed suspension w.e.f. 24.9.2016 as on duty with full pay and allowances together with all consequential benefits.

(g) Any other order or orders as the Hon'ble Tribunal deems fit and proper."

2. Heard both Ld. Counsel and examined documents on record in the Original Application.

3. Ld. Counsel for the applicant submits that the respondent authorities have issued orders of deemed suspension and have extended the same in flagrant violation of statutory rules and laws and that, although the applicant has

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submitted representations praying for treating the entire period of deemed suspension w.e.f. 24.9.2016 as on duty with full pay and allowances and consequent benefits, the said representation still remained to be considered and hence the Original Application.

Ld. Counsel for the applicant further submits that the applicant would be fairly satisfied if a direction is issued to the competent respondent authority to dispose of the applicant's representation dated 29.10.2018 (Annexure A-14 to the O.A.) within a specified time frame.

Ld. Counsel for the respondents does not object to disposal of the representation in accordance with law.

4. Hence, without entering into the merits of the matter and with the consent of the parties, we hereby direct the Respondent No. 3 to place the said representation, if received at his end, to the respondent No. 2, who is the Chief Secretary to the Govt. of West Bengal within a period of two weeks from the date of receipt of this order. Once received at his end, the respondent No. 2 will examine the contents of the said representation and pass a reasoned and speaking order in accordance with law within a period of four weeks thereafter and communicate his decision forthwith to the applicant.

6. With these directions, the O.A. is disposed of. No costs.


 (Dr. Nandita Chatterjee)
 Administrative Member


 (Bidisha Banerjee)
 Judicial Member

SP