

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

**The Hon'ble Justice Ranjit Kumar Bag
& The Hon'ble Dr. Subesh Kumar Das**

Case No – OA 844 of 2017

Md. Aktar Alam Vs The State of West Bengal & Ors.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
02 19.09.2018	<p>For the Applicant : Mr. D. Chakraborty, Learned Advocate.</p> <p>For the Respondents : Mr. S. K. Chakrabarti, Learned Advocate.</p> <p>The applicant has prayed for direction upon the respondent no. 2 for release of salary of the applicant during the period of suspension and to issue order of promotion to the post of ASI (UB) and benefit of Career Advancement Scheme.</p> <p>It appears from the materials on record that the departmental enquiry was started against the applicant while he was working as Constable of Police in the establishment of the respondent no. 2, Superintendent of Police, Dakshin Dinajpur. The charge levelled against the applicant was dropped and the period of suspension of the applicant from September 12, 2015 to December 2, 2015 was not confirmed and direction was given for payment of dues to the applicant by order dated July 31, 2016 issued by the respondent no. 4. The contention of the applicant is that the applicant was selected for the post of Assistant Sub Inspector of Police (UB) immediately before commencement of disciplinary proceeding against the applicant and thereby the applicant was not promoted to the post of ASI (UB). The further contention of the applicant is that the applicant</p>	

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has not been considered for promotion after cancellation of his suspension and that the applicant was not given any benefit of Career Advancement Scheme in spite of dropping of the charge levelled against him.

Having heard Learned Counsel representing both parties and on consideration of the fact that the charge levelled against the applicant has already been dropped with observation of giving backwages to the applicant for the period of suspension, we direct the respondent no. 2, Superintendent of Police, Dakshin Dinajpur to consider entitlement of the applicant to get financial benefits including salary for the period of suspension and service benefits including promotion to the post of ASI (UB) and benefit of Career Advancement Scheme in accordance with law within a period of 12 (twelve) weeks from the date of communication of the order and to take necessary follow up action within a period of 4 (four) weeks thereafter.

With the above direction, the original application is **disposed of.**

Let a plain copy of this order be supplied to both parties.

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

Sanjib