

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member (J),

Case No. OA – 130 of 2022

Dilip Singha - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. S.K. Mitra, Advocate
<u>4</u> 10.05.2022	For the Respondents	: Mr. S. Ghosh, Advocate

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt. – II) dated 11th February, 2022 issued in exercise of the powers conferred under Section 6(5) of the Administrative Tribunals Act, 1985.

With the consent of both the parties, the matter has been taken up for hearing.

The instant application has been filed basically challenging the suspension order dated 05.02.2014. As per the applicant, he has impeded in a criminal case and detained in custody beyond 48 hours on and from 12.06.2013. However, he was subsequently acquitted from the said criminal case vide order dated 26.11.2013. Even then the respondent put him under suspension under Rule 7(3) of W.B.S. (CCA) Rules, 1971. However, subsequently neither his suspension order has been reviewed nor it has been revoked, though he was already acquitted from the criminal case on 26.11.2013. It has been further submitted that he had made several representations to the respondent authority for consideration of his case for revoking the suspension but without any effect. Being aggrieved with, he has approached this Tribunal.

The counsel for the respondent has accepted that till date the case of the applicant has not been reviewed by the authority. Therefore, he is ready to review the case of the applicant and to take appropriate steps.

ORDER SHEET

Form No.

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THE STATE OF WEST BENGAL & ORS.

The counsel for the applicant has no objection to such proposition.

In view of the above, the respondent no. 3, C.M.O.H., Bankura is directed to review the case of the applicant taking into account the acquittal of the applicant from the criminal case and to take appropriate steps with regard to suspension order by way of passing a reasoned and speaking order and communicate the said decision within a period of four weeks from the date of receipt of the order. Therefore, the O.A. is disposed of with no order as to cost.

URMITA DATTA (SEN)
MEMBER (J)

A.K.P.