

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – OA-735 of 2021

Serial No. and Date of order	Sumanta Mukherjee For the Applicant	VERSUS – The State of West Bengal & Ors. : Mrs. M. Roy (Dey) Mr. A. Mondal,, Learned Advocates.
<u>06</u> 26.04.2022	For the State Respondents	: Mrs. S. Agarwal Mr. S. Ghosh Learned Advocates.

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.

On consent of both the parties, matter has been taken up.

The instant application has been filed praying for challenging the suspension order dated 16.09.2021 and 21.09.2021 (Annexure-A/14). It has been submitted by the counsel for the applicant that at the time of filing the OA, no subsistence allowance was paid to him, therefore, he had approached this Tribunal. As per the direction of the Tribunal, he has submitted no employment certificate. She has further submitted that he is getting 50 % of subsistence allowance on and from 13.12.2021. However, till date, even after expiry of three months time, his suspension order neither has been reviewed nor subsistence allowance has been enhanced.

However, the counsel for the respondent has submitted that they have issued charge sheet vide order dated 17.12.2021. Let copy of the charge sheets be kept with the record.

Heard both the parties and perused the records.

Admittedly it is noted that the respondents continuing the subsistence allowance, however, till date no review has been made though as per the respondents, charge sheet has been issued to the applicant. As per the instruction of the client, the counsel for the

ORDER SHEET

Form No.

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applicant has submitted that the said charge sheet has not been received by the applicant.

In view of the above, respondents are directed to review the suspension order of the applicant within a period of two weeks from the date of receipt of the order and communicate their decision and take appropriate steps as per rules. Accordingly, OA is disposed of with no order as to costs.

URMITA DATTA (SEN)
MEMBER (J)

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