

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 335 of 2023

Partha Kumar Das -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	: Mr. D. Das, Ld. Advocate.
	For the State respondent	: Mr. S. N. Ray, Ld. Advocate.
<u>02</u> 07.08.2023		

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

The applicant has prayed for setting aside the impugned orders of the respondent. The impugned Order No. 46 dated 20.09.2022 is an order of suspension of the employee after his arrest and detention in a criminal case. The impugned order No. 47 of 23.09.2022 is an order withholding his pay from the month of September, 2022 onwards. Submission of Mr. Das, learned counsel for the applicant is that the subsistence allowance paid to the employee is very low for him to manage his household. In response, Mr. Ray, learned counsel for the State respondents submits that the subsistence allowance is paid as per the rules.

Heard the learned counsels, the matter is admitted.

Let the matter appear under the heading “**Hearing**” on **18.12.2023**.

Reply and rejoinder, if any, in the meantime.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS