

**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 422 of 2025**

**Md. Ghayas Rehan Rehi -- VERSUS – The State of West Bengal & Ors.**

Serial No. and Date of order	For the Applicant	: Mr. G. Halder, Mrs. P. Sasmal, Ld. Advocates.
<u>03</u> 02.09.2025	For the State Respondents	: Mr. G.P. Banerjee, Ld. Advocate.

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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

The prayer in this application is for setting aside the impugned order of suspension issued vide PHE/Estt./729/2E-08/2025 dated 02.04.2025. By this order, the suspension took effect from 13.01.2025. The applicant also prays for a direction upon the respondent authorities to give him subsistence allowance in terms of Rule 71(4)(iii)(a) of West Bengal Service Rules, Part-I.

Mr. Halder, learned counsel prays for an interim direction to the respondent authorities to grant subsistence allowance to the applicant, who is under suspension since 13.01.2025.

Mr. Banerjee, learned counsel does not oppose, if not paid.

In terms of the Rule quoted above, any employee under suspension is entitled to receive his subsistence allowance. Since the Tribunal believes that no such subsistence allowance has been granted to the applicant, a direction is passed to respondent no. 2, the Principal Secretary, Department of Public Health Engineering to consider the prayer for subsistence allowance and issue suitable orders, if not done so far within sixty (60) days from the date of communication of this order.

Let the matter appear under the heading “**Hearing**” on **19.11.2025**.

SS

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**