

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).**

Case No. – OA 638 of 2024.

RAMESH CHANDRA HAZRA- VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and  
Date of order

02  
17.01.2025

For the Applicant : Mr. M.N. Roy,  
Mr. G. Halder,  
Mrs. P. Sasmal,  
Learned Advocates.

For the State Respondents : Mr. G.P. Banerjee,  
Learned 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 applicant has prayed for a direction upon the Respondent authorities for setting aside the impugned order of suspension of the applicant vide Memo No. 165 dated 15.7.2024. The applicant, an Inspector of Police with Bankura District Police was placed under suspension with effect from 15.7.2024 pending enquiry. Disciplinary proceeding was also initiated at the same time but yet to be concluded. Submission of Mr. Roy, learned counsel is that though the authorities enhanced his subsistence allowance but the suspension order itself was not reviewed as required by the Disciplinary Authority in terms of Memo 9266-F(P) dated 16.11.2012. Submission is that also in terms of Rule 71(4) of the West Bengal Service Rules, Part-I, 1971, such suspension orders are required to be periodically reviewed.

Mr. Banerjee, learned counsel admits that the subsistence allowance has been increased to 75 per cent of his pay, but review of the suspension order as stipulated in the West Bengal Service Rules and Notification 9266-F(P) is yet to be done.

From the submissions of the learned counsels and the documents in this application, it has become clear that such suspension order which is required to be reviewed periodically in terms of Rule 9266-F(P) of 16.11.2012 has not been done

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by the Respondent authorities though the subsistence allowance has been increased.

In view of the observation above, the Respondent no. 3 – The Additional Director General of Police (Law and Order), West Bengal Police Directorate is directed to review the suspension order passed on 15.7.2024 in terms of Memo No. 9266-F(P) within next sixty days from the date of communication of this order. As per the Rule cited above, a suspension order is required to be reviewed after every sixty days. The Tribunal has become aware that in this case, sixty days have already passed since such an order of suspension was issued without the order being reviewed by the Review Committee in terms of 9266-F(P) dated 16.11.2012.

With this direction, this application is disposed of.

(SAYEED AHMED BABA)  
Officiating Chairperson and Member (A)

SkG/SM.