

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

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

& The Hon'ble Dr. Subesh Kumar Das, Member (A)

Case No OA - 283 of 2020**Hebzur Rahaman –Vs- The State of West Bengal & Others.**

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p style="text-align: center;"><u>4</u> 16.10.2020</p>	<p><i>For the Applicant : Mr. S.K. Nandi, Advocate</i></p> <p><i>For the Respondents : Mr. G.P. Banerjee, Advocate</i></p> <p><i>The instant has been filed praying for following relief:</i></p> <p><i>“(a) An order / order be passed directing the respondent authority to forthwith withdraw, cancel, rescind, revoked and/ or recall, set aside and/ or quash the illegal and arbitrary order dated 13.02.2020 passed by Director General, West Bengal Fire and Emergency Service by an order being E.O. No. 196/2020 under Memo No. WBFES 593(4) estt - 7901 / 18 under dated 13.02.2020 in alia, disposing the application dated 28.02.2020 and 23.06.2020 for revocation of the order of suspension of the petitioner, being annexure “B” and “C” by allowing the applicant to join in service with all service benefits.</i></p> <p><i>(b) An order / orders be passed directing the Respondents, their men, agents, assigns and/ or subordinates to forthwith release the admissible subsistence allowance in accordance with law and yearly increment in the</i></p>	

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	<p><i>applicant's salary since 2020 and release arrear thereto.</i></p> <p><i>(c) Any further order and / or orders as Lordships may deem fit and proper.</i></p> <p><i>(d) Costs and incidentals.</i></p> <p><i>(e) The applicant prays for the above reliefs on the following amounts others."</i></p> <p><i>During the course of the hearing, the counsel for the applicant has submitted that though he was suspended under Rule 7(3) of West Bengal Services (CCA) Rules, 1971 on 13.02.2020. But till date neither his suspension order has been reviewed nor the subsistence allowance has been increased. Though thereafter he had approached before the authority but till date he did not get any response from the authority. Being aggrieved with, he has filed the instant application.</i></p> <p><i>During the course of the hearing, the counsel for the applicant has submitted that it would suffice his purpose if the authority would be directed to consider his representation for reviewing of revocation of his suspension order as per Rules. He has also referred one order dated 24.02.2020 passed in OA - 1 of 2020 by this Tribunal and has submitted that this case may be considered in the light</i></p>	

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P.K.D.	<p><i>of the said order.</i></p> <p><i>The counsel for the respondent has admitted that the suspension order has not been reviewed till date. However, he has no objection to consider his representation in the present date as per Rules.</i></p> <p><i>Accordingly, the applicant is at liberty to file a comprehensive representation before the authority within a period of fifteen days and the competent authority is directed to consider his representation and take decision and communicate the same by way of reasoned and speaking order within a period of four weeks from the date of receipt of such representation. Accordingly, the O.A. is disposed of.</i></p> <p>SUBESH KUMAR DAS MEMBER (A)</p> <p>URMITA DATTA (SEN) MEMBER (J)</p>	