

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-****The Hon'ble Smt. Urmita Datta (Sen), Member (J)****& The Hon'ble P. Ramesh Kumar, Member (A)****Case No OA – 376 of 2019****Amitava Majumder –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>2</u> 05.07.2019</p>	<p><i>For the Applicant : Mr. G.P. Banerjee, Advocate.</i></p> <p><i>For the Respondents : Mr. S. Ghosh, Advocate.</i></p> <p><i>Affidavit of service has been filed.</i></p> <p><i>The instant application has been filed challenging the suspension order dated 24.11.2016 under 7(1)(c) of West Bengal Services (Classification, Control & Appeal) Rules, 1971. As per the applicant, though charge sheet has been initiated on 21.11.2016 and subsequently he is under suspension whereas the disciplinary proceedings had already been initiated prior to suspension. Therefore, the suspension order is bad in law as there is no purpose to put him under suspension under Rule 7(1)(c) of West Bengal Services (Classification, Control & Appeal) Rules, 1971.</i></p> <p><i>As per the applicant the disciplinary proceedings is still pending and even no review has been done with regard to his suspension till today. However, the counsel for the respondent has prayed for some time to file appropriate reply. In view of the above, the respondent is directed to file detail reply by four weeks and rejoinder, if any, by two</i></p>	

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A.K.P.	<p><i>weeks thereafter. In view of the facts and circumstances, the respondents are at liberty to review the alleged suspension, if so desire. Let the matter be listed on 19.09.2019 under the heading 'Reply, Rejoinder and Objection'.</i></p> <p>P. RAMESH KUMAR MEMBER (A)</p> <p>URMITA DATTA (SEN) MEMBER (J)</p>	