

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

The Hon'ble Mrs. Urmita Datta (Sen), Member (J) &
The Hon'ble P. Ramesh Kumar, Member (A)

OA -1009 of 2018

Biswanath Kisku

Vs. **The State of West Bengal & Ors.**

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><u>05</u> 04.07.2019</p>	<p>For the petitioner : Mr. S. Kundu, Learned Advocate.</p> <p>For the respondent : Mr. A.L. Basu, Learned Advocate.</p> <p>The instant application has been filed praying for following relief :-</p> <p>1) Direction upon the respondent authorities to revoke and/or quash and/or withdraw the illegal order of suspension being Memo No. 577/Dev dated 27.05.2011 passed by the District Magistrate, Paschim Medinipur in view of honourable acquittal from the criminal case pending against the applicant.</p> <p>2) Direction be given upon the respondents to reinstate the</p>	

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<p style="text-align: center;">05</p> <hr/> <p style="text-align: center;">04.07.2019</p> <p>Page /2</p>	<p>applicant and pay his all arrear benefits and other service benefits as expeditiously as possible.</p> <p>3) Direction be given upon the respondents to transmit and produce all relevant documents of the case so the conscionable justice to the rendered to to the applicant.</p> <p>4) Any other relief or reliefs to which the applicant is entitled or pass such other order(s) as the Hon'ble Tribunal may deem fit and proper.</p> <p>As per the applicant, he was suspended on 27.05.2011 under Rule</p>	

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<p style="text-align: center;">05 ----- 04.07.2019</p> <p>Page /3</p>	<p>7(1) (a) of WBS (CCA) Rules, 1971. However, he has been honourable acquitted by the order dated 29.03.2014. Thereafter he made representation before the authority on 08.02.2017 but till date no decision has been taken by the authority and he is still under suspension.</p> <p style="text-align: center;">Departmental Representative of L & L R Deptt. has submitted that Respondent No. 4 & 5 may be expunged from the array of the respondents as the applicant was not the employee under L & L R Deptt. Accordingly, Respondent No. 4 & 5 has been expunged.</p> <p style="text-align: center;">Reply be filed by four weeks. Rejoinder, if any, may be filed by two</p>	

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<p style="text-align: center;">05 ----- 04.07.2019</p> <p style="text-align: center;">SC</p>	<p>weeks thereafter. Matter will appear on 29.08.2019.</p> <p style="text-align: center;">P. RAMESH KUMAR MEMBER (A)</p> <p style="text-align: center;">URMITA DATTA (SEN) MEMBER (J)</p>	

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