

ORDER SHEET
West Bengal Administrative Tribunal

Present.-
The Hon'ble Justice Ranjit Kumar Bag
&
The Hon'ble Dr. Subesh Kumar Das

Case No. **OA - 1162 of 2017**

Md. Mokarram Hossain

Versus

The State of West Bengal & Ors.

Serial No. and
date of order

Order of the Tribunal
with signature

Office action with date
and dated signature of
parties when necessary.

1

2

3

02
25/03/2019

For the Applicant : Mr. P.C. Maiti,
Ld. Advocate.

For the State Respondent : Mr. B.P. Roy,
Ld. Advocate.

For the A.G., W.B. : Mr. B. Mitra,
Depttl. Representative.

Affidavit of Service filed on behalf of the applicant today is kept on record. The applicant has prayed for direction upon the respondents for disbursement of salary of the applicant during the period of suspension and other ancillary reliefs.

It appears from the materials on record that the applicant was appointed as Constable of Police on September 14, 1987. The disciplinary proceeding was started against the applicant in the year 1996, and the order of punishment was imposed by the disciplinary authority on conclusion of Departmental Enquiry. The applicant was under suspension for considerable period of time while Departmental Enquiry was pending against him. It appears from the document placed by the state respondents bearing memo no. 334 dated February 24, 2019 and from copy of the order passed by the Commandant of

ORDER SHEET – (Continuation)

Form No.

Md. Mokarram Hossain
.....

Vs

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Csm	<p>Armed Police, 6th Battalion, West Bengal on December 18, 1987 (page 16 of the original application) that the disciplinary authority has confirmed the period of suspension of the applicant and has specifically passed the order that the applicant would not get more than what he had already received as subsistence allowance during the period of suspension. There is nothing on record that the above order of the disciplinary authority was modified or set aside by any higher authority of the applicant. In view of our above observation, we are constrained to hold that the applicant is not entitled to get any salary more than what he has already received as subsistence allowance during the period of suspension. There is no merit in the present application. As a result, the present application is dismissed.</p> <p style="text-align: center;">S. K. DAS MEMBER(A)</p> <p style="text-align: center;">R. K. BAG MEMBER(J)</p>	