

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

Hon'ble Justice Soumitra Pal, Hon'ble Chairman.
& Hon'ble Dr. Subesh Kumar Das, Administrative Member.

Case No. OA 856 of 2017.

DEBIPRASAD SAMANTA – 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 style="text-align: center;">6</p> <hr/> <p>17.8.2018.</p>	<p>For the Applicant : Mrs. Manjula Dhar Chowdhury, Advocate.</p> <p>For the State Respondent : None.</p> <p style="text-align: center;">Leave granted to the applicant to file supplementary affidavit. Let supplementary affidavit filed be kept on record.</p> <p style="text-align: center;">In this application, the petitioner, who was a Work Assistant in the office of the Executive Engineer, Hooghly Division, P.W.D. Hooghly under the Government of West Bengal, has prayed for a direction upon the respondents to set aside the order of suspension of the applicant dated 13th March, 2014 passed by the Superintending Engineer, Western Circle-II, P.W.D. and to allow him to join the post of Work Assistant and for a direction to release monthly salary. It appears that the applicant was involved in a criminal case. By judgement and order dated 29th March, 2017 passed by the learned Additional Sessions Judge at Arambag, Hooghly, he has been acquitted. After acquittal , the Executive Engineer, P.W.D., Hooghly Division by memo no. 1808 dated</p>	

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	<p>12.10.2017, which is annexed to the supplementary affidavit, had requested him to join his duties in the office of the Assistant Engineer, Hooghly Sub Division No. –II . He had also been directed to submit “the certified copy of Government order sheet with necessary correction of name” from the Court at the time of joining. It is submitted by Mrs. M. Dhar Chowdhury, learned advocate for the applicant that pursuant to the letter dated 12th October, 2017 the applicant has already joined. Prayer is made for correction of the name of the applicant in the records of the police.</p> <p>Since it appears from the submission made by Mrs. Dhar Chowdhury, that the applicant has joined, in our view no order be passed with regard to prayers (b) and (c). So far as prayer (a) is concerned, since the applicant has been acquitted and he has been allowed to join unconditionally, as evident from the memo dated 12th October, 2017, the suspension order is no longer valid and therefore stands quashed. So far the correction of the name of the applicant is concerned, it is for the</p>	

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Skg.	<p>applicant to take up the matter before the appropriate forum.</p> <p>The application is disposed of.</p> <p>(Subesh Kumar Das) Member(A).</p> <p>(Soumitra Pal) Chairman.</p>	

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