

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. OA – 105 of 2022

Ramprosad Mondal - VERSUS - THE STATE OF WEST BENGAL & ORS.

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|------------------------------------|------------------------------|--------------------------------|
| Serial No. and Date of order | For the Applicant | : Mr. G. Singh, Advocate |
| <u>4</u> 30.06.2022 | For the State Respondents | : Mrs. S. Agarwal, Advocate |

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 354 – WBAT / 2J-15/2016 dated 18th May, 2022 issued in exercise of the powers conferred under Section 6(5) of the Administrative Tribunals Act, 1985.

The instant application has been filed basically praying for review of suspension order as well as enhancement of the subsistence allowance. As per the applicant, he was suspended vide order dated 12.12.2019 with effect from 17.06.2019 on account of detained in custody exceeding for more than 48 hours as per Service Rule. However, as per the applicant though he was convicted in a criminal case, but, he approached the Hon'ble High Court in CRAN 2811 of 2019 in CRA 363 of 2019 and the order of conviction was stayed by the Hon'ble High Court vide order dated 23.09.2019. However, it has been further submitted by the applicant that more than two years have been lapsed neither his suspension order has been reviewed nor the subsistence allowance has been enhanced. Therefore, he has fairly submitted that it would suffice his purpose if the authority would review his suspension order and consider enhancement of the subsistence allowance as per Rules. The respondent has no objection to review the suspension order of the applicant and take appropriate steps as per Rules and Law.

In view of the above, the Respondent No. 2 is directed to review the order of suspension dated 12.12.2019 of the applicant and to take decision with regard to suspension as well as subsistence allowance and take follow up action as per the decision and communicate the same by way of a reasoned and speaking order within a period of four weeks from the date of receipt of the order. Accordingly, the O.A. is disposed of with no order as to costs.

**URMITA DATTA (SEN)
MEMBER (J)**

A.K.P.