

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER

Case No. – OA 615 of 2023

Shambhu Nath Das - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant

:

Mr. S. Mustafi,
Learned Advocate.

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25.04.2024

For the respondents

Ms. R. Sarkar,
Mr. S. Deb Roy,
Mr. R. Bag,
Departmental Representatives.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5 (6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

On the last date of hearing, the following was recorded :-
“The applicant was suspended by an order dated 17.02.2020 for being involved in a criminal case no. 61 of 2016 under Section 138 of Negotiable Instruments Act. Though the suspended employee has been receiving the subsistence allowance, but Mr. Mustafi argues that neither the suspension has been revoked nor it has been reviewed by the respondent authorities. Further, since the date of suspension on 17.02.2020, no steps have been taken to initiate any disciplinary proceedings against the applicant.”

Today, Mr. Mustafi, learned counsel for the applicant submits that such case has already been concluded with acquittal of the applicant. Mr. Mustafi files a copy of the order of Ld. Addl. Dist. & Sessions Judge, Suri, Birbhum. Copy be kept with the record. Mr. Mustafi prays for a direction to the respondent authorities to consider revocation of his suspension order in the light of the fact that the applicant has been acquitted from the criminal case for which he was suspended.

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Vs.

Case No **OA 615 of 2023**

THE STATE OF WEST BENGAL & OTHERS.

Having heard the submissions of the learned counsels, this application is disposed of by directing the Respondent No. 3, A.D.M & D.L & L.R.O, Birbhum to consider such representation filed by the applicant in the light of the fact presented to this Tribunal that the applicant has been acquitted in the criminal case and to dispose of this application within a period of four months from the date of receipt of the representation from the applicant along with copy of this order. Accordingly, the application is disposed of.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)

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