

ORDER SHEET
WPO/97/2021
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

SUBRATA GHOSH
-VS-
THE STATE OF WEST BENGAL & ORS.

BEFORE:
THE HON'BLE JUSTICE RAJASEKHAR MANTHA
DATE: MARCH 16, 2021.

Mr. D. Basu, Adv.; Mr. K.P. Santra, Adv., for petitioner.
Mr. N. Bhattacharyya, Adv., with Ms. D. Chattoraj, Adv., for WBTC.
Mr. T.M. Siddiqui, Adv.; Mr. P. Sinha, Adv.; Mr. N. Chatterjee, Adv., for State.

The Court: This writ petition has been filed praying for subsistence allowance during the pendency of the departmental enquiry.

The petitioner is a bus driver engaged with the West Bengal Transport Corporation Ltd. Pursuant to a show cause notice dated May 28, 2020, the petitioner was admittedly suspended from service. A chargesheet was issued to him for acts of omission and commission on September 10, 2020. It is submitted that the enquiry is underway. The petitioner claims that he has not been paid any subsistence allowance from May 28, 2020. He further claims salaries from January 20, 2020.

The Court directs the respondents to complete the enquiry within a month from date mandatorily and positively. The enquiry will be held day to day and no unnecessary adjournment shall be allowed to any of the parties.

The petitioner shall be paid the arrears of subsistence allowance within 15 days from date. The period for which the subsistence allowance shall be paid shall be calculated from May 28, 2020 till date.

In so far as the other claims of the petitioner are concerned, particularly towards the arrears of salary, the same shall be dealt with by the disciplinary authority upon conclusion of the disciplinary proceedings.

With the above directions, the writ petition stands disposed of. There will be no order as to costs.

(RAJASEKHAR MANTHA, J.)

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