

07-05-2024
ct no. 13
Sl. 23
sp

WPA 148 of 2024
Arijit Biswas
-Versus-

Paschim Banga Gramin Bank & Ors.

Mr. Indranath Mitra

..for the petitioner

Mr. Baidurya Ghosal,
Ms. Aatreyee Dutta,
Mr. Saikat Mukherjee,
Mr. Sourav Mukherjee

..for the respondent nos. 1 to 6

1. The writ petitioner is aggrieved by an order of suspension dated 20th December, 2023 issued by the Chairman, Paschim Banga Gramin Bank. The petitioner was scale-III Senior Manager, Credit under Regional Office at Suri when the order of suspension was passed.
2. The main grievance of the petitioner is that along with the order of suspension, the writ petitioner was transferred and asked to report to the Headquarters at Howrah. By a further email dated 28th December, 2023, the writ petitioner was informed by the General Manager that the office timing at Howrah would be 10.00 a.m. to 6.30 p.m..
3. This Court is unable to countenance the said email communication. If the petitioner is under suspension, he is not required to attend duties. Such suspension is normally aimed at preventing the petitioner from tampering with

any evidence or causing any inconvenience to fellow workers. The email dated 28th December, 2023 appears to be in conflict with the basic principles of suspension.

4. Learned counsel for the respondents submits that the said email dated 28th December, 2023 has been issued incorrectly. The petitioner is required to attend only to any enquiry that may be conducted by the respondents against him at the Headquarters at Howrah.
5. The respondents have issued a charge sheet to the petitioner and other charge sheets are also in contemplation.
6. In that view of the matter, it is hereby clarified that during the period of suspension, the petitioner shall report to the Headquarters only on the dates of enquiry and upon prior intimation. It is directed that any disciplinary proceedings arising out of the subject matter mentioned in the order of suspension be completed within a period of 4 months from date.
7. With the aforesaid observations, the instant writ petition shall stand disposed of.
8. Since no affidavit has been used by the respondents, the allegations contained in the writ petition shall not be deemed to have been admitted by them.
9. There shall be no order as to costs.

10. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)