

S/L 15
14.05.2024
Court No.13
*Suvayan/
Sourav*

WPA No. 8021 of 2022

**Ranjan Mahata
Vs.
The State of West Bengal & Ors.**

*Mr. Samim Ahammed
Ms. Gulsanwara Pervin
Mr. Aniruddha Singh*

...for the petitioner.

*Mr. Sougata Mitra
Ms. Subhasri Chatterjee*

...for the State.

Mr. Ranjan Saha

...for the D.P.S.C., Paschim Medinipur.

1. The petitioner is aggrieved by an order dated 18th April 2019 of deemed suspension passed by the D.P.S.C., Paschim Medinipur, in view of his remaining in custody in connection with Jhargram, Police Station Case No. 200 of 2018 dated 22.11.2018, *inter alia*, under the provisions of the IPC and Section 3 of the PDPP Act, 1984 and the E.S. Act.
2. The petitioner has remained in suspension despite being enlarged on bail on 30.01.2019.
3. In those circumstances, since the criminal case against the petitioner does not arise out of any action committed in course of employment, the respondents shall reconsider the petitioner's continued suspension.
4. The aforesaid direction is passed since the petitioner would be entitled to subsistence allowance on a monthly basis draining the resources of the State without receiving any service from the petitioner.

5. Let a decision be taken by D.P.S.C., Paschim Medinipur within a period of six weeks from the date of communication of this order.
6. With the aforesaid observation, **WPA 8021 of 2022** is disposed of.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Rajasekhar Mantha, J.)