

12-07-2024
ct no. 13
Sl. 47
sp

WPA 13382 of 2024
Deb Narayan Roy
-Versus-

The State of West Bengal & Ors.

Ms. Koyeli Bhattacharyya	..for the petitioner
Mr. Suman Ghosh, Mr. Indrajit Ghosh	..for the State
Mr. Ratul Biswas, Mr. Kaushik Chowdhury	..for the DPSC, Howrah

1. The petitioner was suspended from service on 23rd November, 2023 for being in custody in connection with Nischinda Police Station Case No. 213 of 2023 dated 02.11.2023 under Section 8/10 of the POCSO Act. The petitioner claimed that he has not been paid any subsistence allowance since after his suspension.
2. The State is represented and has filed instructions dated 14th May, 2024 addressed to the State advocate, which is kept with the record.
3. Since the liability of paying subsistence allowance and salary is with the DPSC concerned, this Court directs the Chairman, DPSC, Howrah to release all subsistence of the petitioner including arrears, if any, already paid with effect from 23rd November, 2023, into his

bank account, within a period of one month from the date of receipt of a copy of this order. The current subsistence shall continue to be released as long as the petitioner's period of suspension. The Chairman, DPSC, Howrah shall be at liberty to suo moto review the order of suspension in terms of the applicable rules.

4. Mr. Kaushik Chowdhury, learned counsel, who normally represents the DPSC, Howrah, is directed to represent in this matter.
5. Let his appointment be regularized by the DPSC, Howrah.
6. With the aforesaid observations, the instant writ petition shall stand disposed of.
7. There shall be no order as to costs.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)