

S/L 24
14.05.2024
Court No.13
*Suvayan/
Sourav*

WPA No. 15850 of 2023

**Arindam Bandopadhyay
Vs.
The State of West Bengal & Ors.**

*Mr. Sabyasachi Mukherjee
Mr. Bibek Dey
Mr. Poulam Dey
Mr. Mukesh Khanna
Mr. Syed Neaz Ahmed*

...for the petitioner.

Mr. Supriyo Chattopadhyay

...for the State.

1. The petitioner is aggrieved by an order of deemed suspension passed by the D.P.S.C., North 24 Parganas suspending him from service by an order dated 04.07.2022 in view of his custody in connection with Gaighata, Police Station Case No. 1210 of 2021 dated 24.12.2021, *inter alia*, under the provisions of the IPC and Section 3 of the PDPP Act, 1984.
2. The petitioner has remained in suspension since then despite being enlarged on bail on 26.01.2022.
3. 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., North 24 Parganas within a period of six weeks from the date of communication of this order.
6. **WPA 15850 of 2023** 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.)