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02-01-2025

AKG

Ct. 15

WPA 16994 of 2024

**Biswajit Roy
Vs.
The State of West Bengal & Ors.**

Mr. Anirban Ray,
Mr. Raja Saha,
Mr. S. Mukherjee,
Ms. B. Roy

...for Respondent Nos. 4, 7 to 9

Mr. Srijan Nayak,
Ms. Rituparna Maitra

...for the State

Mr. P. K. Ray,
Mr. Asis Dutta

...for Respondent No. 3

The petitioner is absent at the time of the call.

The petitioner was appointed as an Assistant-cum-Cashier at the West Bengal State Co-operative Agriculture and Rural Development Bank Ltd. He was placed under suspension by the society by a letter dated October 4, 2010, in contemplation of disciplinary proceedings for an alleged defalcation of funds of the society.

A disciplinary proceeding was subsequently initiated against the petitioner.

The petitioner alleges that subsequent to the suspension, he received a subsistence allowance until December 2012. However, this allowance was discontinued from January 2013.

Ultimately, the disciplinary proceedings concluded with the petitioner's dismissal from service on November 14, 2019.

Through this writ petition, the petitioner seeks the release of his subsistence allowance from January 2013 until the date of his dismissal.

It appears that the petitioner submitted a representation to the Managing Director & Special Officer of the West Bengal State Co-operative Agriculture and Rural Development Bank Ltd. on June 13, 2023, which has not yet been disposed of.

In view of the above facts, I dispose of this writ petition with the following directions:

The society is directed to consider the petitioner's representation dated June 13, 2023, regarding the release of the unpaid subsistence allowance, in accordance with the law, within one month from the date of communication of this order.

The petitioner must be given an opportunity to be heard before the society reaches a decision, and a reasoned order should be communicated to the petitioner.

With the aforesaid direction, **WPA 16994 of 2024** is

disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)