

07 **27.08.
2026**

Ct. No. 18

Ab

WPA 15730 of 2026

Thakurdas Tarafdar

Vs.

The State of West Bengal and others.

**Mr. Kamalesh Bhattacharya,
Mr. Debabrata Sardar.**

... for the petitioner.

**Mr. Anirban Das,
Mr. Sudipta Ghosh.**

... for the State.

1. The affidavit of service filed today is taken on record.
2. The petitioner is aggrieved that the mode and manner in which the disciplinary proceeding against him has been conducted. In fact, by a supplementary affidavit filed today, which is kept on record, he has brought on notice the pleading that he was not served with the enquiry report on the basis whereof the disciplinary proceeding was undertaken.
3. The Appellate Authority by its order dated May 21, 2026 rejected the appeal on the ground of limitation. Mr. Das, learned Advocate appearing for the authorities, has fairly submitted that the appellate authority has not taken into consideration certain relevant facts, which are germane for deciding the issue of limitation and which had been duly pleaded in the application before the appellate authority.
4. In view of the afore-stated, the order of the Appellate Authority dated May 21, 2026 dismissing the appeal on

the ground of limitation is set aside, as the authority has been vested with the power to condone the delay in appropriate cases for appropriate reasons and grounds.

5. The Appellate Authority is directed to reconsider the issue of condonation of delay of the petitioner's appeal filed before it, which should be concluded by October 15, 2026. Needless to say, the petitioner will be put on adequate prior notice to be able to make relevant submissions at the time of hearing of this application.
6. The order of the disciplinary authority dated November 18, 2025 shall remain stayed till the Appellate Authority considers the application and passes a reasoned order thereon.
7. The petitioner will be at liberty to pray for extension of the interim order before the Appellate Authority in the event the Appellate Authority decides to hold against the petitioner. The Appellate Authority will keep in mind the fact that the interim order has been granted on August 10, 2026 and has continued for a period slightly in excess of two months and should deal with the matter accordingly.
8. The petitioner will be entitled to press the issue that the enquiry report was not served on him, if this point has not been taken before the Appellate Authority.
9. With the afore-stated directions, the writ petition is disposed of.
10. There shall, however, be no order as to costs.

11. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)