

04.10.2023
DL-226
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 8442 of 2018

**Divya Ranjan
Vs.
Union of India & Ors.**

Mr. Aniruddha Poddar,
Mr. Tapas Mukherjee,
Mr. A. Hossain,
Mr. Rita Ganguly

....for the petitioner.

Mr. Pramod Kumar Drolia,
Ms. Sumita Sarkar

....for Union of India.

The petitioner was **suspended** from service while working as a constable with the Central Industrial Security Force (CISF). The final order of penalty was passed on August 2, 2010. The Appellate Authority's order was passed on December 30, 2010 and the Revisional Authority's order was passed on November 8, 2011.

The petitioner's pay was reduced to minimum stage in the pay band from Rs.7090/- to Rs.6060/- in the time scale of Rs.5200-20,200/- for a period of 5 years with immediate effect. It was further directed that he could not earn increments of pay during the period of reduction and on expiry of the said period the reduction will have the effect of postponing his future increments of pay. By the order passed by the

Revisional Authority, the reduction in the scale of pay was reduced from 5 years to 2 years.

The petitioner initially filed a writ petition before the Hon'ble High Court at Jharkhand at Ranchi, but the same was dismissed since the said Hon'ble High Court did not have the territorial jurisdiction to entertain the same.

After the present writ petition was filed, the same was dismissed for default by a Coordinate Bench of this Hon'ble Court on July 9, 2018.

The writ petition was restored by this Court on July 28, 2023.

This Court finds that there is no scope of any interim order in the present writ petition.

Let an affidavit-in-opposition be filed by Union of India within 8 weeks from date. Reply, if any, within 3 weeks thereafter.

Learned counsel appearing on behalf of the petitioner is requested to serve properly paginated copy of the writ petition on the learned counsel appearing on behalf of Union of India.

Parties will be at liberty to mention the matter for "**Hearing**" upon expiry of the period stipulated for exchange of affidavits.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Hon'ble Court.

(Lapita Banerji, J.)