

23.12.2020

Ct. No. 24

Item No. 22

pk.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
WPA No. 2890 of 2020

Chiranjit Ghosh

-vs-

The State of West Bengal & Ors.

SM Samim Ullah for the petitioner

Mr. Susanta Pal,
Mr. Biswajit Dutta for the State

The petitioner has filed the instant writ application for a direction upon the respondent authority to permit him to rejoin his duties as Village Police Volunteer Force under the Krishnaganj Police Station. The petitioner was not allowed to perform his duties on the allegation that two criminal cases were pending against him.

The learned advocate appearing on behalf of the State respondent, upon instructions, submits that it has come to the knowledge of the police that two cases registered at Krishnaganj Police Station one being Krishnaganj P.S. Case No. 186 of 2017 dated 25th May 2017 of the Indian Explosive Act under Section 9(b) I.E. Act and another Krishnaganj P.S. Case No. 302 of 2017 dated 5th September 2017 of the Explosive Act under Section 9(b) and under Section 34 of the Indian Penal Code.

The guidelines relating to the filling up of the post of Village Police Volunteer under the West Bengal Police

mentions that no adverse report regarding antecedent is one of the eligibility criteria.

In the instant case, there are two cases pending against the petitioner under the Indian Explosive Act. With the aforesaid antecedent, in my opinion, it will not be proper to direct the respondent authorities to permit the petitioner to join the duty.

However, if the petitioner is acquitted from the aforesaid criminal cases then the respondent authorities shall look into the prayer of the petitioner for permitting him to join his duties.

WPA 2890 of 2020 is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)