

40.
18.11.2020
S.D.

W.P.A. 7931 of 2020

Shibani Chandra (Kar)
Vs.
The State of West Bengal & Ors.

Mr. Pritam Choudhury
Mr. Abhisek Adhya
... for the Petitioner.

Ms. Chaitali Bhattacharya
....For the Respondent Nos. 4 & 5.

A letter dated September 22, 2020 issued by the municipality is under challenge in the present writ petition.

Learned Advocate appearing on behalf of the petitioner submits that unfounded allegations are being made as against the petitioner. He refers to the correspondence exchanged between the petitioner and the municipal authorities. He submits that, the authorities asked the petitioner to submit a report by the impugned writing dated September 22, 2020. In response to earlier correspondence, the petitioner clarified her stand with regard to the documents concerned. According to him, there is no occasion on the part of the authorities to ask the petitioner to submit a report as called for by the impugned writing.

Learned Advocate appearing on behalf of the petitioner submits that, the municipal authorities are now asking for a report from the petitioner in respect of transactions which are three and half years old. The petitioner was asked to leave such department three and half years ago.

Learned Advocate appearing on behalf of the respondent nos. 4 & 5 draws the attention of the Court to the order dated January 11, 2017 passed in the writ petition filed by the petitioner as also the order of the Appeal Court dated July 17, 2018. She submits on instructions that, the municipal authorities came across defalcation of funds in which the petitioner is likely to be involved. In such context, the municipal authorities called upon the petitioner to submit a report. According to her, the writ petition is premature.

Learned Advocate appearing on behalf of the petitioner in reply submits that, the subject matter of earlier writ petition is different.

In the facts of the present case, the municipal authorities are calling upon the petitioner to submit a report. It is for the petitioner to either respond thereto or not. The municipal authorities are at liberty to take appropriate steps as against the petitioner in accordance with law, in relation to the allegation of

defalcation as also the response that may or may not be given to the letter dated September 22, 2020.

By the letter dated September 22, 2020, the municipal authorities called upon the petitioner to respond about the petitioner's dealing with in her capacity as an employee of the municipal authorities.

I find no reason to interfere with the requisition of the municipal authorities. I find no legal right of the petitioner being infringed by the impugned writing dated September 22, 2020.

W.P.A. 7931 of 2020 is disposed of accordingly.

No order as to costs.

(Debangsu Basak, J.)