

08.04.2021
Ct. No.13
Sl. No.330
akd

W.P.A. 279 of 2021 [via video conference]

[Sanatan Sarkar -Vs- The State of West Bengal & Ors.]

Ms. Rita Patra

... .. for the petitioner

Mr. Himadri Sikhar Chakraborty

Mrs. Debdooti Dutta

... .. for the State

Affidavit-of-service filed in Court today be kept with the record.

The petitioner is aggrieved by the fact that the respondents have not initiated any departmental proceeding against him despite having kept him under suspension for a long period of time.

The facts of the case are, inter alia, that sometimes in May, 2017, a FIR came to be lodged against the petitioner with the Sagardighi Police Station for acts of omission and commission under Sections 465/467/420/409 read with Section 34 of the Indian Penal Code. The petitioner was in custody for over 75 days. The petitioner thus came to be kept under deemed suspension.

Despite the suspension continuing since the year 2017, proceedings have not been taken out by the authorities.

In the above circumstances, the respondent nos.2, 4 and 5 shall initiate and conclude the departmental proceedings against the petitioner within a period of four months from the date of communication of a copy of this order mandatorily and positively.

The District Magistrate, Murshidabad shall be notified of the instant order and shall ensure compliance of the said order.

Parties shall serve a copy of this order to the District Magistrate, Murshidabad forthwith.

With the aforesaid observations, WPA 279 of 2021 is disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of this judgment, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)