

20.04.2021.
Item no. 67.
Court No.13
pk

**W.P.A. No. 6385 of 2021
(CAN 1 of 2021)
(Through Video Conference)
Taffazzul Hussain Gilani
Versus
State of West Bengal & Ors.**

Mr. Bikash Ranjan Bhattacharya,
Mr. Soumya Majumder,
Mr. Amritam Mondal,
Mr. Aditya Mondal,
Ms. Annanya Chakraborty
... for the petitioner.

Mr. Swapan Kumar Dutta
...for the State.

Mr. Biswaroop Bhattacharya,
Md. Zohaib Rauf
... for the respondent nos. 2 and 3.

The petitioner was appointed to the post of Typist in the State Council of Unani Medicine. He was appointed on 28th February, 2020.

The petitioner is aggrieved by an order dated 6th January, 2021 whereby he was suspended as a typist of the Council. He was directed not to enter the Council premises. In the same letter, the petitioner was asked to submit written explanation within three days as to why his service should not be terminated.

Mr. Biswaroop Bhattacharya, learned advocate appearing for the State Council of Unani Medicine, submits that the petitioner has committed certain acts contrary to what is expected of him as an employee of the Council.

It is however submitted by Mr. Biswaroop Bhattacharya that the Rules of the Council do not have any provisions for suspension.

In those circumstances, the order dated 6th January, 2021 is quashed and set aside.

Council may take steps against the petitioner strictly in accordance with the applicable Rules.

The petitioner shall, however, not join the Council until conclusion of business hours on 22nd April, 2021.

With the aforesaid observations, the instant writ petition is disposed of.

In view of disposal of the writ petition, connected application being CAN 1 of 2021 is also disposed of.

There will be no order as to costs.

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

(Rajasekhar Mantha, J.)