

WPA 11210 of 2020

**Nawaj Sharif Paik
Vs.
The State of West Bengal & Ors.**

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Mr. Mukteswar Maity
... For the Petitioner

Mr. Sudipto Panda
Mrs. Munmun Tewary
... For the State

The petitioner was serving as a Civic Volunteer. He was demobilized on account of his misconduct.

The petitioner applied before the concerned authority praying for remobilization in service.

The Superintendent of Police, Sundarban Police District by a communication dated 5th June 2019 intimated the petitioner that there is no regulation regarding mobilization after termination from the job.

The petitioner being aggrieved by the aforesaid communication has preferred an appeal before the Director General of Police, West Bengal by a representation dated 6th December, 2019.

The petitioner complains that his representation is yet to be considered by the Director General of Police.

The petitioner relies upon an unreported order dated 24th June, 2019 passed in WP 8537(W) of 2019 in a similar matter where direction was passed upon the Apex Committee to consider the appeal made by the petitioner. The petitioner prays for similar relief.

The learned advocate representing the State respondents submits, upon instructions, that as

per the guidelines of the West Bengal Directorate a civic volunteer who is aggrieved in any disciplinary matter, such as demobilization, may appeal before the Apex Committee.

It has been submitted that the Additional Director General and the Inspector General of Police Establishment, West Bengal heads the Apex Committee.

In view of the submissions made on behalf of the parties the instant writ petition is disposed of by directing the respondent no. 2 to consider the representation that has been made by the petitioner on 6th December, 2019 in accordance with law within a period of eight weeks from the date of communication of this order.

The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

It is made clear that this Court has not gone into the merits of the claim of the petitioner and all points are left open to be decided by the said respondent at the time of consideration of the representation of the petitioner.

The petitioner is directed to forward a copy of the representation dated 6th December, 2019 at the time of communication of this order for ready reference.

WPA 11210 of 2020 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

(Amrita Sinha, J.)

