

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 10089 of 2022

**Biswajit Konar
-versus
Katwa Municipality & Ors.**

**Mr. Milan Nandi.
...For the Petitioner.**

**Mr Tapash Kumar Bhattacharyya,
Mr. Aviroop Bhattacharya.
...For the Municipality.**

The petitioner is an employee of Katwa Municipality. He is facing a disciplinary proceeding.

Learned advocate appearing for the petitioner submits that presently the petitioner is in a paralyzed state and not in a position to physically appear for hearing in the enquiry proceeding.

It has been submitted that the written submission/statement has already been filed by the petitioner. Direction has been prayed for concluding the disciplinary proceeding on the basis of the written submission filed by the petitioner.

Learned advocate appearing for the Katwa Municipality submits that a fresh opportunity of hearing was given to the petitioner. If the petitioner is agreeable to abide by whatever submission that has

been made in the written statement, then the Municipality will take steps to conclude the proceeding.

As it appears from the submissions made on behalf of the petitioner that he is not presently physically fit to appear for a hearing, accordingly, the Municipality is directed to conclude the disciplinary proceeding on the basis of the written submission/statement by the petitioner which is already on record.

Necessary steps shall be taken to conclude the proceeding at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

The order passed in the disciplinary proceeding be communicated to the petitioner immediately thereafter.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)