

21.09.2022.
p.b.
Sl. No.61.

W.P.A. 17587 of 2022

Sri Bikash Biswas
Vs.
The State of West Bengal & Ors.

Mr. Subhajit Panja.
.....for the petitioner.
Mr. Srijan Nayak,
Mr. Biplab Das,
Mr. Partha Sarathi Pal.
.....for the respondent nos.2 to 4.
Mr. Soumadeep Biswas.
..... for the respondent nos.5 to 7.
Mrs. Chama Mookherjee,
Ms. Paramita Pal.
.....for the State.

Heard learned advocates appearing for the parties.

By this writ petition, petitioner has challenged the impugned order of punishment passed by the disciplinary authority dated 26th July, 2022 being Annexure P-12 of the writ petition based on the specific charge sheet issued and after conducting enquiry and objection to the enquiry report and compliance of all statutory formalities required under the law and considering the record, I am of the view that the writ court under Article 226 of the Constitution of India can neither act as an appellate authority over punishment order or substitute the finding of the enquiry authority and cannot re-appreciate the evidence and further I find neither any procedural irregularity nor

violation of any principle of natural justice nor the action of the authority is contrary to any provision of law and accordingly this writ petition being WPA No.17587 of 2022 is dismissed.

However, dismissal of this writ petition will not prevent the petitioner from availing any alternative remedy if available to the petitioner, under the law.

(Md. Nizamuddin, J.)