

W.P.A. 30237 of 2016
IA No. CAN 1/2022

Sri Dilip Kumar Banerjee
Vs.
State of West Bengal & Ors.

Mr. Debajoyoti Barman
Ms. Sanjukta Basu Mallick
...for the Petitioner

Ms. Chama Mukherji
Mr. Gourav Das
...for the State

Mr. Mir Anuruzzaman
....for the Rajpur-Sonarapur Municipality

Copy of the order of punishment dated 2nd August, 2022 is taken on record.

In the present writ petition petitioner has questioned charge sheet dated 31st December, 2015 and memo dated 21st June, 2016 whereby the enquiry report was forwarded to the petitioner seeking response. During pendency of this writ petition the Chairman, Rajpur-Sonarapur Municipality being the disciplinary authority has passed final order of punishment dated 2nd August, 2022.

Today, writ petition is taken up for consideration in presence of the learned advocates representing the petitioner, Rajpur-Sonarapur Municipality and the State-respondents.

Since the order of punishment dated 2nd August, 2022 has been issued against the petitioner this Court finds that there is necessity to question such order of

punishment in order to adjudicate the issue relating to disciplinary proceeding initiated against the petitioner.

In view of the said order of punishment dated 2nd August, 2022 the present writ petition is disposed of thereby granting liberty to the petitioner to question the order of punishment dated 2nd August, 2022 as well as charge sheet and the findings of the enquiry officer, if advised, in accordance with law.

It has been made clear that this Court has not entered the merit of the issue and all points are kept open.

Accordingly, the writ petition stands disposed of.

Application, if pending, also stands disposed of.

However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)