

10.05.2023

Sl no. 145

Ct no. 2

P.M.

WPA 9586 OF 2023

Mahua Jana (Pal) alias Mahua Pal Jana

- Vs -

The State of West Bengal & Ors.

Mr. Victor Chatterjee

... for the petitioner

Mr. D. K. Sengupta,

Ms. Sweta Saha

... for the respondent Bank

Mr. Srijan Nayak

Ms. Rituparna Maitra

Mr. Biplab Das

... for the State

Heard learned advocates appearing for the parties.

By this writ petition petitioner has challenged the impugned order of termination of her service which is an appellable order and in which petitioner was allowed to participate and it is not the case that the final order of the disciplinary authority is an exparte order. Now at this stage petitioner challenges the jurisdiction of the Enquiry Officer and procedural irregularity after participating in the said proceeding when it has gone against her which amounts to waiver and estoppels also.

However, without going into the merit of the impugned termination order, on the ground of availability of alternative remedy by way of statutory

appeal I am not inclined to entertain this writ petition being WPA 9586 of 2023 and grant any relief in this writ petition except granting liberty to the petitioner to file statutory appeal within thirty days from date and to raise all the points before the appellate authority which has been taken in this writ petition.

If petitioner files the appeal within the time stipulated herein issue of limitation will not be raised.

With this observation and direction this writ petition stands disposed of.

The appellate authority will dispose of the appeal of the petitioner, if so filed, without being influenced by any observation made in this writ petition on the merit of the appeal.

(Md. Nizamuddin, J.)