

WPA 17821 OF 2023

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CAN 1 of 2023

07.08.2023

Sl no. 1

Ct no. 2

P.M.

Kapoor Chand Gupta

- Vs -

The State of West Bengal & Ors.

Ms. Sweta Mukherjee

... for the petitioner

Mr. Anirban Ray, Ld. Govt. Pleader

Md. T.M.Siddiqui,

Mr. T. Chakraborty,

Mr. Saptak Sanyal

... for the State

Heard learned advocates appearing for the parties.

Pursuant to the order of this Court dated 3rd August, 2023, passed on the basis of Mr. Siddiqui, learned Additional Government Pleader's prayer for time to ascertain the actual state of affairs about the serious allegation against one Smt. Chaitali Banerjee being the Assistant Commissioner of Revenue, Bureau of Investigation, South Bengal that she had threatened the petitioner's son for filing this writ petition for redressal of his grievances and also in view of her past conduct in other cases which come to the notice of this court where she was spared by stern warning by this Court, he has filed one office

order dated 4th August, 2023 issued by the Commissioner, Commercial Taxes, West Bengal, and a Memo No. 116CT/LAW dated 4th August, 2023 issued by the Special Commissioner of Revenue and on perusal of the same I find that the highest authority of the department has already taken a very swift action after order of this court by transferring the said officer and has constituted an enquiry committee consists of three senior officers.

Both the aforesaid documents filed by Mr. Siddiqui, learned Additional Government Pleader be kept with the record.

Prima facie I am of the considered view that the allegation against the aforesaid officer is serious and amounting to interference with the justice delivery system and is contumacious and is contempt of court and if such charge is proved to be true, it will bring bad reputation to the image of the department also. It is expected that on final enquiry if the aforesaid officer is found guilty action as per relevant service Rule will be taken so that message will go in the department for these types of vindictive officers and cordial relation between the assesses and the department will be improved.

So far as the grievance of the petitioner raised in this writ petition against blocking of his Electronic Credit Ledger is concerned I find that for redressal of such grievance petitioner has already made a representation before the respondent authority concerned on 25th April, 2023 and details of the grievance would appear from the said representation and in view of this fact of pendency of representation by the petitioner, before the respondent authority concerned this writ petition is disposed of by directing the respondent authority concerned/respondent No. 2 to consider and dispose of the aforesaid representation in accordance with law and by passing a reasoned and speaking order and after giving an opportunity of hearing to the petitioner or his authorized representatives within a period of three weeks from the date of communication of this order.

List this matter as 'To be Mentioned' on 29th August, 2023 for filing the enquiry report and action taken by the authorities concerned in the case of the aforesaid officer named Smt. Chaitali Banerjee.

Accordingly this writ petition being WPA 17821 of 2023 and CAN 1 of 2023 are disposed of.

(Md. Nizamuddin, J.)