

WPA 18207 of 2023

Tanyeer Sabiba Boksh
vs.
The State of West Bengal & Ors.

Mr. Debojyoti Deb
Mr. Somdyuti Parekh

...for the petitioner

Mr. Ansar mandal
Md. Idrish
Mr. Sujit Chatterjee

...for the State

Mr. Ayan Kumar Boral

...for the respondent No. 8

The petitioner is the wife of the Private Respondent No. 8. The petitioner has alleged that the Private Respondent No. 8 by suppressing an order dated December 16, 2020 passed by the Registrar of Cooperative Societies, West Bengal putting him under suspension with effect from November 26, 2020, until further orders, got himself appointed as a Revenue Officer under the Land & Land Reforms and Refugee Relief & Rehabilitation Department, Government of West Bengal. The petitioner has made a complaint before the Secretary of the said department to agitate that on the basis of her complaint, *inter alia*, under Section 498A of the Indian Penal Code a Raniganj Police Station Case No. 170/2020 was

initiated against the Private Respondent. The Private Respondent was also in jail custody from November 26, 2020.

From the submissions made by the parties it appears that the dispute is primarily private in nature. The petitioner claims that the Private Respondent without disclosing his proper antecedent and involvement in criminal case and his suspension order, got himself appointed as a Revenue Officer.

This Court is of the opinion that the writ petition is not maintainable since the dispute is private in nature.

Furthermore, this Court finds that the Private Respondent No. 8 is a State Government employee. Under the Administrative Tribunals Act, 1985, the writ petition is not maintainable since the petitioner is also seeking to challenge the recruitment procedure of a State Government employee.

In the light of the discussions hereinabove, **WPA 18207 of 2023 is dismissed.**

It is made clear that this Court has not gone into the merits of the writ petition.

Since no affidavits have been called for in the writ petition, the allegations contained therein

be deemed not to have been admitted by the respondents.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Hon'ble Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Lapita Banerji, J)