

16-11-2023
ct no. 13
Sl. 33
sp

WPA 19511 of 2023

Nirmal Pal

-Versus-

North Bengal State Transport Corporation & Ors.

Mr. Subrata Das

...for the petitioner

Mr. Ranjan Saha,
Mrs. Dipa Bhattacharya

... for the State

Mr. Amal Kumar Sen,
Mr. Sabyasachi Mondal

...for the NBSTC

1. The State has obtained instructions and has made detailed submissions before this Court.
2. It appears that the petitioner joined service in the NBSTC on April 7, 1990 and has subsequently been confirmed. Very peculiarly, however, the Police Verification Report against the petitioner was never supplied to the NBSTC by the office of the SP, Cooch Behar. The petitioner was repeatedly asked since 1995 to submit a duly verified Police Verification Report of his own which he did not.
3. It appears from the record that the petitioner was convicted by the Additional Sessions Judge, Cooch Behar on June 20, 1989 in Sessions Case No. 71 of 1985. He was sentenced to RI of 6 years and fine of Rs.

500/- under Sections 326 and 149 of the IPC. He was further sentenced to 3 years RI under Section 148 of the IPC. He was also convicted and sentenced for 6 months under Section 448 of the IPC and 6 months each under Section 448 and 427 of the IPC.

4. The aforesaid information was obtained by the NBSTC from their own sources. The petitioner had not disclosed this to the employer at any point of time. The petitioner claims that he has filed an appeal against the said order of conviction being Criminal Appeal No. 286 of 1989 before a Co-ordinate bench of this Court. The fate of the said appeal has never been communicated to the employer.
5. This Court is of the view that the petitioner may have deliberately and wilfully suppressed the conviction order of the Additional Sessions Judge, Cooch Behar.
6. In that view of the matter, this Court is not inclined to grant any relief to the petitioner.
7. The writ petition shall stand disposed of.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

