

12.06.2023.
Court No.13
Item No. 30
pk

W.P.A. No. 20733 of 2022

**Mukul Nandi
Versus
The State of West Bengal & Ors.**

Mrs. Nandini Mitra,
Mr. Syed Shahid Imam,
Mr. Sakya Maity.

..For the petitioner.

Mr. Sumit Kumar Panja,
Mr. Sumit Roy.

...For the WBSEDCL.

Mr. Santanu Kumar Mitra,
Mr. Subhabrata Das.

...For the State.

1. The Chief Vigilance Officer, WBSEDCL has filed a report dated 06.06.2023 and the same is taken on record. Out of the 17 cases pointed out by the writ petitioner, the Vigilance Officer and his team found impropriety in 10 cases.
2. Counsel for the petitioner submits that higher officials including the minister for power have been indirectly pressurizing the petitioner to withdraw the writ petition and the complaints.
3. This Court is of the view that the matter requires to be dealt with by an independent authority under the State.
4. The writ petition and the reports of the Chief Vigilance Officer, WBSEDCL shall be served upon the Director General of CID, West Bengal.
5. It is ordered that the CID, West Bengal, shall register FIRs in respect of all 17 cases, indicated by the petitioner and specified in the C.V.O.'s report. The

concerned officials of the WBSEDCL shall accordingly issue sanction to prosecute the officials of the WBSEDCL that may be named in the FIR to be registered by the CID, West Bengal.

6. This Court grants leave to the CID, West Bengal, to register FIR even pending formal receipt of sanction from WBSEDCL.

7. The petitioner shall render all and every assistance as and when called for by the CID, West Bengal.

8. It is expected that D. G., CID, West Bengal, shall nominate senior and experienced officer or officers supported by a competent team to investigate the corruption and the criminality of both the officials of the WBSEDCL concerned as also the third party non employees.

9. The investigation must be completed within a period of three months from date. Upon the commencement of such investigation, all FIRs with the Bardhaman Sadar Police Station in respect of the subject matter including charge sheets shall be transferred to the CID, West Bengal for appropriate investigation and/or prosecution.

10. The CID, West Bengal or the petitioner may choose to seek appointment of a special prosecutor in the subject FIRs.

11. Let a copy of the FIRs and the reports in final form to be filed by the CID, West Bengal and the ones

already filed by the Bardhaman Sadar Police Station be made available to the petitioner.

12. The head of the Vigilance and the administration, particularly the CMD of WBSEDCL shall commence disciplinary proceedings in ten cases against their officials referred to in the report of the Chief Vigilance Officer, WBSEDCL and also explore the possibility of disciplinary proceedings in the other seven cases.

13. Let a server copy of this order be communicated to the D.G., CID, West Bengal, Bardhaman Sadar Police Station and the CMD of WBSECDL and the CVO by the Registry and the writ petitioner.

14. The writ petition is disposed of.

15. There will be no order as to costs

16. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)