

15.5.2023

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WPA 26478 of 2022

Subodh Dutta Chowdhury & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Ekramul Bari

Mr. Siddhartha Sankar Mondal

Ms. Tanuja Basak

... For the petitioners.

Mr. Arunangshu Chakrabarty

Mr. Jyoti Prakash Khan

Mr. Arijit Bera

Ms. Geniya Mukherjee

Ms. Shreyeta Mitra

Ms. Shrabani Banerjee

Ms. Zeba Rashid

Ms. Shaika Amrin

... For the University.

Mr. Swapan Kr. Datta, AGP,

Mr. Dipankar Das Gupta

... For the State.

The petitioners have challenged the suspension orders issued against them appearing at pages 25, 26 and 27 of this writ petition.

Mr. Ekramul Bari, learned advocate appearing for the petitioners submits that the said suspension orders have been issued with a malicious intend. He draws attention of this Court to the First Information Report appearing at page 36 of this writ petition to suggest that there were no allegations made against the petitioners. He further submits that the resolution of the Executive Council of the university adopted on November 17, 2022 which led to the suspension of first

two petitioners, was based on illegal advice and had no nexus with the allegations made against the petitioners.

Mr. Arunangshu Chakrabarty, learned advocate representing the university submits that the petitioners have been receiving their full salary. He further submits that the university intends to bring the disciplinary proceeding against the petitioners to a swift conclusion.

In view of the stand taken by the university that the disciplinary proceedings will be promptly, I am not inclined to interfere with the suspension orders as impugned in the writ petition at this juncture.

Accordingly, this writ petition is disposed of with a direction upon the university to conclude the disciplinary proceedings initiated against the petitioners within six months from the date of communication of this order.

Needless to mention that if the disciplinary proceedings are not completed within the time framed as specified above, the petitioners will be at liberty to take appropriate steps in accordance with law.

With the above observations, WPA 26478 of 2022 is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)