

04.10.2024  
Sl. No.26(DL)  
srm

**W.P.A. No. 8815 of 2024**

**Sk. Tanveer**

**Versus**

**The State of West Bengal & Ors.**

Mr. Jayanta Narayan Chatterjee,  
Ms. Moumita Pandit,  
Mr. Supreem Naskar,  
Ms. Jayashree Patra,  
Mr. Bhaskar Mondal

...for the Petitioner.

Mr. Sk. Md. Galib,  
Ms. Sujata Mukherjee

...for the State-respondents.

Despite service, none appears on behalf of the State-respondents. Affidavit-of-service is taken on record.

Md. Galib, learned Advocate, had appeared in the earlier matter in which an order was passed by the learned coordinate Bench in the self-same cause of action. This Court also requests Md. Galib to appear in this matter along with Ms. Sujata Mukherjee, learned Advocate. Their appearance shall be regularised.

The petitioner is aggrieved by the non-consideration of the prayer for premature release of Rashid Alam @ Gabbar, on the basis of the direction of the learned coordinate Bench in WPA 15709 of 2023.

It is submitted that the earlier rejection order was set aside by the Hon'ble coordinate Bench and his Lordship was of the view that a properly constituted State Sentence Review Board was required to re-decide the concerned plea of premature release made by Rashid Alam @ Gabbar, on the settled judicial principles by taking into consideration his conduct, age and capacity to repeat the offence. Admittedly, Rashid Alam @ Gabbar is in the correctional home for more than 23 years.

Mr. Chatterjee, learned Advocate appearing on behalf of the petitioner submits that the authority may be directed to expeditiously decide the matter on the basis of the earlier order.

Without going into the merits of the claim and counterclaim of the parties, the writ petition is disposed of with a direction upon a properly constituted State Sentence Review Board to decide the prayer for premature release of Rashid Alam @ Gabbar within a period of two months from the date of communication of this order, positively. The order shall be communicated to the petitioner.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

**(Shampa Sarkar, J.)**