

21
sandip
Ct. 18
20.03.2024

W.P.A. 11163 of 2021
I.A. No : CAN 1 of 2021 (Disposed of)
CAN 2 of 2021
CAN 4 of 2022

Netai Charan Ghosal
Vs.
The State of West Bengal & Ors.

Mr. Uday Sankar Chattopadhyay,
Mr. Suman Sankar Chatterjee,
Ms. Rajashree Tah,
Ms. Trisha Rakshit,
Mr. Aishwarya Datta ... For the petitioner.

Mr. Supriyo Chattopadhyay, AGP,
Ms. Sayantanee Bhattacharjee ... For the State.

Ms. Koyeli Bhattacharyya ... For the WBBSE.

Ms. Tapati Samanta,
Mr. Arindam Ghosh
... For the respondent no. 7 and added respondent no. 9.

The petitioner was the Headmaster of Palashchabri Nigamananda High School (H.S.), Karasia, District – Paschim Medinipur, he was suspended from his said service on the allegation of misappropriation of a sum of Rs. 44,90,000/-.

Pursuant to a direction passed by the co-ordinate Bench of this Court on March 22, 2021 in W.P.A. 4595 of 2021, the President of the Ad-hoc Committee of the West Bengal Board of Secondary Education, the respondent no. 3 herein has passed the order impugned dated April 06, 2021 thereby has rejected the representation of the petitioner praying withdrawal of the said order of suspension and has proposed initiation of disciplinary proceeding against the petitioner.

Ms. Bhattacharyya, learned advocate for the Board submits that the disciplinary proceeding proposed by the order impugned has culminated into a final order, she files

copy of the said final order dated December 04, 2023, let it be kept with the record.

It appears that the respondent no. 3, by the final order has directed to process the pension papers of the petitioner subject to realization of a sum of Rs. 13,28,785/- from his retiral benefits.

In view of the final order being passed in the disciplinary proceeding, challenge to the order impugned has become infructuous, W.P.A. 11163 of 2021 is dismissed as such.

In view of the dismissal of the writ petition, connected pending applications being **CAN 2 of 2021** and **CAN 4 of 2022** are also dismissed.

There shall however be no order as to costs.

Parties to act on the server copy of this order duly downloaded from the official website of the Court.

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

(Biswajit Basu, J.)