

12.07.2024.  
Court No.13  
Item No. 27  
ap

**W.P.A. No. 15617 of 2024**

**Sri Sankar Singha  
Versus  
The State of West Bengal & Ors.**

Mr. Prasenjit Debnath,  
Ms. Pritha Biswas.

...For the petitioner.

Mr. Bhaskar Prasad Vaisya, AGP,  
Mr. Ranjan Saha.

..For the State.

Mr. Arindam Chattopadhyay,

...For the DPSC, Nadia.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner is aggrieved that his representation dated 16<sup>th</sup> May, 2024 has not been considered by the Chairman, District Primary School Council, Nadia.
3. The petitioner was in custody for two years in connection with offence under Sections 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012. He was suspended from service immediately after his detention from more than 48 hours, in terms of the order of the District Primary School Council, Nadia dated November 28, 2022.
4. Counsel for the petitioner submits that since the incident alleged against him is pending trial and did not arise out of his service in the School, he is entitled to be reinstated after revocation of suspension. He

further submits that the School has not started any disciplinary proceedings against him.

5. Counsel for the petitioner argues that in the order granting him bail under Section 439 of the Code of Criminal Procedure, the High Court was pleased to observe 'as to whether the ingredients of Section 6 are established against the petitioner is required to be ascertained only in course of trial'.

6. In view of the above, this Court directs the Chairman, District Primary School Council, Nadia to consider the petitioner's representation and dispose of the same in accordance with law within a period of eight weeks from the date of receipt of a copy of this order along with a copy of the writ petition.

7. With the aforesaid directions, the instant writ petition shall stand disposed of.

8. There will be no order as to costs.

9. 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.)***