

26.02.2024
Item No.6
Ct. No.1
RP/PG

M.A.T. 1178 of 2023
With
IA No. CAN 1 of 2023
Sri Kallol Kumar Ghosh
Vs.
The State of West Bengal & Ors.

Md. Sabir Ahmed
Md. Abdur Rakib
Ms. Suman Biswas

.....for the Appellant

Mr. Nilanjan Bhattacharjee
Mr. Srijib Chakraborty

.....for the respondent no.11

Mr. Subhabrata Datta

.....for the respondent no.4

Mr. Sk. Md. Galib
Ms. Sujata Mukherjee

.....for the State

1. This intra-Court appeal by the 8th respondent is directed against the order dated 12th June, 2023 passed in W.P.A. No.27064 of 2022 by which the learned Single Bench has directed the highest disciplinary authority under the C.I.D., West Bengal to conduct major penalty disciplinary proceedings against the 8th respondent and other respondents as well.
2. The specific contention of the appellant is that the appellant did not have an opportunity to put forth his case and only on the last date, he came to know about the pendency of the writ petition as by then, he had been transferred from the post of Baguihati Police Station and has joined as an Inspector,

Intelligence Bureau, West Bengal and no intimation was given about the pendency of the writ petition and he was unaware of the orders passed.

3. If that be the case of the appellant, the appellant should file a review.
4. The learned advocate appearing for the writ petitioner submitted that eight review applications have been filed by other respondents, against whom disciplinary proceedings was directed to be initiated and seven of the review applications have been pending and one has been dismissed on merits.
5. In the light of the above, the appeal stands disposed of along with the connected application giving liberty to the appellant to file the review application before the learned writ court and the period during which this appeal was pending shall be excluded while computing limitation for the purpose of filing the review application.
6. No costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)

