

19.12.2024
Item No.112
RP
Ct. No.07

WPA 18526 of 2022

**Shyam Sundar Manna
Vs.
The State of West Bengal & Ors.**

Mr. Subhajit Panja

....For Petitioner

Mr. Pabitra Charan Bhattacharjee

Mr. Sovan Nayak

....for Respondent Nos.4,5 and 6

Mr. Srijan Nayak

Mr. Biplab Das

....for Respondent Nos.2 and 3

1. The petitioner was appointed as a Peon in Sitapur Samabay Krishi Unnayan Samity Limited vide appointment letter 16th February, 2018. The petitioner was served with a show cause notice. The petitioner duly replied to the said show cause notice. The grievance of the petitioner is that his service has been terminated without initiating any disciplinary proceeding. On a query of the Court as to whether service of a permanent employee can be terminated without initiating any disciplinary proceeding in accordance with the provisions of the relevant statute, Mr. Bhattacharjee, learned advocate for the respondent nos.4, 5 and 6 could not satisfy this Court that such action is permitted under the relevant statute.

2. In view of the aforesaid, this Court is of the considered view that the order dated 16th June, 2022 terminating the service of the petitioner is to be set aside and quashed and the same is accordingly set aside and quashed. The petitioner shall be reinstated in service with all consequential benefits. However, this order shall not prevent the authority to take action in accordance with law.
3. With the above observation and direction the writ petition stands disposed of.

(HIRANMAY BHATTACHARYYA, J.)