

19.09.2024
Item No.12
PG/KS
Ct. No.1

W.P.A.(P) 380 of 2024

**Sri Prabir Kumar Roy
Versus
Union of India & Ors.**

Mr. Arnab Saha
Ms. Atulya Sinha Verma
.....For the Petitioner
Mr. Sirsanya Bandopadhyay, Ld. Jr. Standing Counsel
Mr. Ritesh Kr. Ganguly
.....For the State
Ms. Priyanka Tibrewal
Mr. Arijit Majumdar
.....For the Union of India

1. We have heard the learned advocates for the parties.
2. In pursuance of the directions issued earlier, an inquiry committee has been formed and the allegations made by the petitioner were inquired into and the Committee has drawn a report dated 4th June, 2024 holding that the allegations made by the petitioner could not be substantiated by the materials on record and hence, are found to be not true.
3. In the writ petition, the petitioner has challenged the correctness of the report on certain grounds, which have been raised in paragraph 11.
4. We find that the averments contained therein to be vague and based of such vague averments, the inquiry report cannot be set aside.

5. When confronted with this position, the learned advocate for the petitioner prays for permission to withdraw this writ petition and file a comprehensive writ petition specifically dealing with the correctness of the findings recorded by the said committee.
6. In the light of the said submission, the writ petition is dismissed as withdrawn with liberty to the petitioner to file a fresh writ petition raising precise grounds on which it is alleged that the inquiry report is erroneous.
7. Needless to state that in the event, the petitioner files a fresh writ petition, the allegations, which are made in the writ petition should be substantiated by records.
8. No costs.
9. 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.)