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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 23376 of 2022

Kartick Roy & Ors.
Vs.
Union of India & Ors.

Mr. Rameshwar Sinha,
Mr. Arun Kumar Paul,
Ms. Shikha P. Chowdhury
...for the petitioners

Ms. Susmita Saha Dutta
...for the Union of India

1. Learned counsel appearing for the petitioners submits that in compliance of the previous order of court, additional court fees have been put in equivalent to separate writ petitions for all the petitioners. As such, the writ petition is entertained.

2. By the impugned order dated September 29, 2022, annexed at page 49 (Annexure P/4) of the writ petition, the respondent-authorities, through the Divisional Commercial Manager (IC), Northeast Frontier Railway, Katihar, cancelled the engagement of STBA at Raiganj Railway Station without giving any reasons whatsoever. It is contended that no prior hearing or opportunity was given to the petitioners to present their case.

3. There is substance in such contentions, since the impugned termination dated September 29, 2022 does not disclose any reason whatsoever, nor was the basic principle of *audi alteram partem* adhered to by the respondent-authorities.

4. Accordingly, W.P.A. No. 23376 of 2022 is allowed, thereby setting aside the impugned cancellation of engagement of the petitioners as STBA (Station Ticket Booking Agents) dated September 29, 2022, annexed at page 49 (Annexure P/4) of the writ petition. The respondents shall, if they propose to terminate the petitioners, give a notice of hearing to the petitioners prior to such proposed termination and upon giving opportunity to the petitioners to present their case, take a decision and, thereafter, pass a reasoned order of such termination, if the respondents are otherwise entitled in law to so terminate.

5. There will be no order as to costs.

6. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)