

19-03-2024
ct no. 13
Sl. 32
sp

WPA 24431 of 2023
Bipad Bhanjan Dey
-Versus-

The State of West Bengal & Ors.

Mr. Kamalesh Bhattacharya,
Mr. Shahan Shah,
Mr. Soumen Barman

..for the petitioner

Ms. Tuli Sinha

..for the State

1. The petitioner is aggrieved that he has not been paid any remuneration since his arrest on May 7, 2022 till date.
2. State has filed a report in the form of instructions dated 05.12.2023, which is taken on record. Copies whereof have been given to the counsel for the petitioner.
3. It appears from the report that the petitioner was in custody and was released on bail on June 13, 2022.
4. It also appears from the writ petition itself that the petitioner has admitted in writing on March 9, 2022 that all wrong payments made by him, have been refunded and reversed back to the BPSC, Mollarpur. It further appears that a show

cause notice was issued to the petitioner on March 9, 2022 and he replied to the same.

5. The Enquiry Committee found the petitioner guilty of misappropriation in its order dated February 18, 2022. The issue was placed before the HR Advisory Committee. On September 1, 2023 in its 9th Meeting, the committee decided that the petitioner should be terminated from service and accordingly a letter of termination was issued on October 3, 2023.
6. Admittedly, the petitioner is a temporary contractual employee. Despite whereof, an opportunity has been afforded to him to respond to the findings of the Enquiry Committee. There is sufficient compliance of the principles of natural justice insofar as the temporary contractual casual employee is concerned.
7. In those circumstances, this Court does not find any infirmity in the procedure adopted by the respondents since terminating the petitioner from service.
8. In those circumstances, no relief can be granted to the petitioner.

9. The instant writ petition shall stand disposed of without any order.
10. There shall be no order as to costs.
11. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)