

December 20, 2024
AD 42
Ct. 17
SG

WPA 25341 of 2022

Gurupada Majee

vs.

The State of West Bengal and others

Mr. Sougata Mitra

Ms. Soma Chakraborty

Mr. Nikhil Gupta

Mr. Subhadeep Maitra

... for the petitioner

Ms. Sanghamitra Nandi

Mr. Raja Ram Banerjee

... for the State

Ms. Koeli Bhattacharya

Ms. Keya Panja

... for the WBBSE

Learned counsel for the petitioner prays for release of full salary for the period in which he had to be absent for being arrested in connection with a criminal case and for consequential reliefs. It is germane to mention that he was finally acquitted from all charges. Therefore, his service has to be regularised and salary has to be paid for the said period.

Learned counsel for the respondent No.3 submits that if the petitioner had been exonerated from all the charges in the criminal case, then the salary has to be paid for the time of his absence on account of the same. However, it is for the President of the Board to decide this issue in accordance with law.

Let the respondent Nos.3 and 4 decide the issue in accordance with law and upon hearing interested parties as expeditiously as possible, preferably within a period of eight weeks from the date of communication of this order.

With these observations, the writ petition is disposed of.

As affidavits were not called for, allegations contained in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)