

08-07-2024
ct no. 13
Sl. 273
sp

WPA 27225 of 2017
Susmita Roy (Sinha)
-Versus-

The State of West Bengal & Ors.

Mr. Sakti Pada Jana

..for the petitioner

Mr. Ms. Sangeeta Roy,
Mr. Dipankar Ghosh

..for the State

Mr. Rabindra Nath Chatterjee,
Mr. K.R. Chatterjee
Mr. Subhasis Kr. Paul

..for the DPSC, Jalpaiguri

1. Affidavit-in-opposition filed in Court today is taken on record.
2. The sorry state of affair emerges to the instant proceeding for, inter alia, acts of insubordination, non-utilization of funds meant for distribution of dress to students, refusal to take over charge from a retiring Head Teacher. The petitioner was issued a notice to show cause on 8th August, 2017. The petitioner was thereafter in aid of the said show cause and to enable them to collect evidence freely. The petitioner was transferred to another school vide order dated 16th August, 2017. The writ petition was filed immediately thereafter on 8th November, 2017. The order of transfer was stayed by a Single Bench of this Court vide order dated 15th

November, 2017. The respondents were asked to complete the departmental proceedings against the petitioner by 28th February, 2018.

3. Affidavits were called from the respondents. Affidavit-in-opposition filed today in Court affirmed on 4th August, 2018. The disciplinary proceedings against the petitioner were not continued much less completed by February, 2018. The DPSC, Jalpaiguri is presumed to have abandoned the disciplinary proceedings against the petitioner.
4. The order of stay of proceeding passed by this Court on 16th November, 2017 shall stand confirmed.
5. There shall no further disciplinary proceedings against the petitioner.
6. With the aforesaid observations, the instant writ petition shall stand disposed of.
7. In view of the above, CAN 1 of 2024 shall also stand disposed of.
8. There shall be no order as to costs.
9. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)