

11.06.2024  
Ct. No. 02  
Sl. No.16  
Cp

Calcutta High Court  
In the Circuit Bench at Jalpaiguri

WPA No. 1056 of 2024

Anup Rai  
Vs.  
The State of West Bengal & ors.

Mr. Kunaljit Bhattacharjee  
Mr. Alok Sah

.....for the petitioners.

Mr. Joyjit Choudhury, Ld. AAG  
Mr. Subir Kumar Saha  
Ms. P. Choudhury

.....for the State.

Ms. Supriya Singh

.....for the respondent nos.2 to 5.

Affidavit of service is taken on record.

Despite service, none appears on behalf of the  
respondent nos. 6 and 7.

The petitioner complains that the Manager, Latpanchar Cinchona Plantation did not dispose of his representation. The petitioner complained about disbursement of remuneration in favour of persons who had not been attending their duties at the Latpanchar Cinchona Plantation. According to the petitioner, the officials, at the behest of the respondent nos. 6 and 7, allowed illegal disbursement of remuneration to those persons.

Ms. Singh, learned advocate appearing for the Cinchona Plantation, submits that the petitioner was responsible for creating disturbance in the plantation. He stopped doing any work. As a result of which, remuneration of the petitioner had been stopped. The petitioner challenged such stoppage of remuneration, in a civil suit. Out of revenge against the Manager and other officials, the writ petition has been filed.

This court is not required to go into the question of legality in the action of the authorities in stoppage of remuneration of the petitioner as the same is sub judice before a civil court. As there is an allegation that persons who are not working regularly were being paid, in my view, in order to prevent loss of revenue and to protect public funds, the Director, Directorate of Cinchona Plantation having his office at Mungpo, District – Darjeeling, respondent no. 3 herein, must look into the allegations made by the petitioner and take actions.

If it is found that the plantation is not being run properly, necessary direction shall be passed and communicated to the Manager concerned. This order shall not have any effect on the civil suit filed by the petitioner and shall not influence the suit.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

**(Shampa Sarkar, J.)**