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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/20/2024
ASIT CHAULIA
-VS-
THE STATE OF WEST BENGAL AND ORS

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : 21st March, 2024.

Mr. Akhtar, Adv., for petitioner.
Ms. D. Chattaraj, Adv.; Ms. A. Dutta, Adv., for respondents.

The Court: 1. The writ petitioner prays for release of his monthly salary together with interest and is aggrieved by withholding of the same.

2. He also challenged the final order passed in a departmental proceeding against him leading to the dismissal by way of a separate writ petition being WPO/1074/2022 which is pending adjudication.

3. Learned counsel for the WBTC submits that there is a statutory appeal filed by the petitioner against the final order of the disciplinary authority before the appellate authority.

4. Since there is an independent writ petition challenging the entire departmental proceeding, this Court does not wish to pronounce thereon. However, the statutory

appeal may be disposed of by the respondents within one month from date without prejudice to the rights and contentions of the petitioner in the pending WPO/1074/2022.

5. After disposal of the appeal any dues payable to the petitioner in terms of the rules of the WBTC may be released to him within one month thereafter.

6. Insofar as prayer (a) of the writ petition is concerned, the same cannot be entertained inasmuch the petitioner has been dismissed from service.

7. The writ petition accordingly is disposed of.

(RAJASEKHAR MANTHA, J.)

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