

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

08 15.7.2025
Sc Ct. no.2

WPA 3410 OF 2025

Palash Kumar Karmakar

Vs.

The State of West Bengal & Ors.

Mr. Nikhil Kr. Gupta
Mr. Sougata Mitra.

....For the Petitioner

Mr. Amitabrata Roy, GP
Mr. Nilotpal Chatterjee
Mr. Arka Mondal.

....For the Respondent
No.1/State

Mr. Debjit Mukherjee
Mr. Kaustav Bhattacharya.

....For the Respondent
Nos. 2 & 3

Mr. Nikhil Kr. Gupta, learned counsel appears for the petitioner.

Mr. Nilotpal Chatterjee, learned State counsel led by Mr. Amitabrata Roy, learned Government Pleader appears for the respondent no.1/State.

Mr. Debjit Mukherjee, learned counsel appears for the respondent nos. 2 and 3.

The petitioner was an employee under the relevant district judiciary. Arising out of a proceeding against the petitioner, *inter alia*, under **Section 302** of the Indian Penal Code, the petitioner has suffered custody. Consequently, the petitioner was suspended. Subsequently, by a Judgment and Order dated **May 11, 2023** passed by the jurisdictional Criminal Court, the

petitioner was **acquitted** as the petitioner was not found guilty to the alleged offences.

Today when the writ petition has been taken up for consideration, Mr. Debjit Mukherjee, learned counsel for the district judiciary submits that, an appeal has been preferred from the said order of acquittal and is pending before this Court after being registered as **CRA (DB) 196 of 2023**.

In view of the above, this Court is of the view that, no further step can be taken in this writ petition at this stage.

After the said pending criminal appeal is finally decided, depending upon its fate, the petitioner shall be at liberty to apply and lodge his claim before the jurisdictional authority in accordance with law. However, it is expected that, in the event the petitioner is finally acquitted, the jurisdictional authority shall consider the claim of the petitioner expeditiously but in accordance with law without any delay.

Since affidavits are not called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

With the above observations this writ petition, **WPA 3410 of 2025** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)