

ML. 123
10.04.2025
Court No.14
AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 6716 of 2025

Maheswar Samanta
Vs.
State of West Bengal & Ors.

Mr. Ashok Kumar Banerjee, Sr. Adv.
Mr. Anal Kumar Ghosh
Ms. Neelina Chatterjee
Ms. Ahene Bhattacharyya

...for the Petitioner.

Mr. Nilotpall Chatterjee
Mr. Amrita Lal Chatterjee

...for the State.

1. Learned advocate representing the State respondents fairly submits before this Court that there is no document to show that a prior opportunity of hearing was given to the petitioner before passing further order of debarment.
2. As the order of debarment leads to civil consequences, the principles of natural justice are required to be complied with. The petitioner ought to be provided an opportunity of hearing prior to passing further order of debarment or extending the period of the earlier order of debarment. Opportunity of hearing has not been given in this case.
3. In view of the above, the impugned order dated 10th February, 2025 is set aside.
4. It will be open for the respondents to take necessary steps in the matter in accordance with law, if so advised.
5. The writ petition stands disposed of.

6. Urgent certified photocopy of this order, if applied for, be supplied to the parties or their advocates on record expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)