

15 20.05.2025
rkd Ct.18

W.P.A. 9002 of 2025

Salil Mandi

-vs-

The State of West Bengal & Ors.

Mr. Apurba Krishna Das

....for the petitioner.

Mr. Ranjan Saha

....for the DPSC, Paschim Medinipur.

Mr. Pinaki Bhattacharyya,

Ms. Tuhin Parvin

....for the State.

Affidavit-of-service filed on behalf of the petitioner is taken on record.

Petitioner has prayed for lifting of suspension which was clamped vide order dated 10th February, 2025 issued by the Chairman, Paschim Medinipur District Primary School Council. Petitioner was suspended on and from 3rd January, 2025 since he was implicated in a criminal proceeding and taken into custody.

However, learned advocate representing the petitioner submits that petitioner was enlarged on bail on 24th January, 2025 which confers right upon the petitioner to resume duty subject to final result of the criminal proceeding.

District Primary School Council, Paschim Medinipur and State respondents are represented by learned advocates.

It is submitted on behalf of the District Primary School Council, Paschim Medinipur that a representation has been made by the petitioner seeking permission to resume duty.

In view of the case made out in the writ petition Chairman, District Primary School Council, Paschim Medinipur being respondent no.3 is directed to decide the issue whether petitioner shall be permitted to resume duty on withdrawal of suspension order subject to final outcome of criminal proceeding, within a period of six weeks from the date of communication of this order.

Respondent no.3 shall pass a reasoned order after giving opportunity of hearing to the petitioner or his representative.

The decision to be taken by the respondent no.3 shall be communicated to the petitioner by fortnight thereafter.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)