

11.
(DL)

24.06.2025
Ct. No. 18
(ARPAN)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. 10042 OF 2025

**Buddhadev Sue
Vs.
The State of West Bengal & Others**

Mr. Arup Banerjee, Adv.

...for the Petitioner

Mr. Arindam Chattopadhyay, Adv.

Ms. Lipika Chatterjee, Adv.

...for the State

Mr. Saibal Acharyya, Adv.

Mr. Tanweer J. Mandal, Adv.

...for the D.P.S.C., Purba
Burdwan

- 1) Notice served upon the learned advocate representing District Primary School Council, Purba Burdwan is filed today and same is taken on record.
- 2) Petitioner is a Primary Teacher working in a school under the jurisdiction of District Primary School Council, Purba Burdwan.
- 3) It is submitted by the learned advocate representing the petitioner that petitioner was taken into custody in connection with a criminal case on 22nd November, 2019 and was enlarged on bail *vide* order dated 2nd January, 2020. After petitioner was enlarged on bail, Chairman, District Primary School Council, Purba Burdwan being respondent no.3 placed the petitioner under deemed suspension taking note of the fact that

petitioner was in custody from 22nd November, 2019 to 4th January 2020.

- 4) It is submitted that a representation has been made by the petitioner dated 4th December, 2023 addressed to the respondent no.3 whereby prayer is made for withdrawal of suspension order thereby permitting the petitioner to resume duty as Primary Teacher since petitioner was enlarged on bail *vide* order dated 2nd January, 2020 passed by the Hon'ble High Court. It is also submitted that the alleged offence is not in connection with due discharge of duty of the petitioner as Primary Teacher.
- 5) State respondents and respondent no.3 are represented by learned advocates, who have jointly submitted since representation of the petitioner is pending consideration before respondent no.3, same needs to be considered, in accordance with law.
- 6) Having considered the respective submissions made on behalf of the parties, writ petition stands disposed of directing respondent no.3 to pass a reasoned order in consideration of the representation of the petitioner dated 4th December, 2023 within a period of four (4) weeks from the date of communication of this order after granting

opportunity of hearing to the petitioner and the decision to be taken by the respondent no.3 shall be communicated to the petitioner by ten (10) days thereafter.

- 7) Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)