

D/L 20
25.06.2025
ct.no.35
Kausik

W.P.A. 11868 of 2025

**Daud Alam
Versus
The State of West Bengal & Ors.**

Mr. Niladri Sekhar Ghosh
Md. Nazar Chowdhury
Ms. Sompurna Chatterjee

...for the petitioner.

Mr. Wasim Ahmed
Md. Sehabuddin

...for the State.

Petitioner has advanced the following
prayers :-

- a) A writ of and/or in the nature of mandamus directing the respondent No. 4 to allow your petitioner in his Office to attend service of the petitioner.
- b) A writ of and/or in the nature of mandamus directing the respondent No. 4 to give safety and security to the petitioner.
- c) A writ of and/or in the nature of Certiorari directing the respondent No. 4 to show cause as to how the said person namely Md. Taiyab Alam is continuing his service in the office of Chakulia Block

under his jurisdiction in spite of the fact that earlier he was declared Proclaimed Offender thereafter his Anticipatory petition has been rejected.

- d) A writ in the nature of certiorari to transmit all the records in connection to the case of the petitioner to this Hon'ble Court.

Petitioner has been implicated in a case under section 302 of the Indian Penal Code. Learned advocate for the petitioner submits that the petitioner has been falsely implicated. There are no departmental orders to that effect and the service which was offered to the petitioner was on compassionate grounds.

Be that as it may, since a murder case is pending against the petitioner which is a grave offence, until and unless the petitioner is absolved of such charges the claim of the petitioner for joining or rejoining his service is not acceptable.

The said view has already been taken by a Division Bench of this Court in FMA 2689 of 2015, as such the aforesaid prayers in the writ petition is not acceptable.

Consequently, WPA 11868 of 2025 is dismissed.

Report so submitted be kept with the record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)