

07.03.2025
Court No.23
DL/Item No.-8
[Milan, A.R. (Ct.)]

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

WPA 12845 of 2023

With

CAN 1 of 2023

CAN 2 of 2024

**Manoj Sikdar
versus
Union of India & Ors.**

Mr. Pankaj Agarwal,
Ms. Champa Pal

....for the Petitioner

Mr. Indrajeet Dasgupta,
Ms. Puspita Bhowmick

....for UOI

The main writ petition is taken up for hearing while hearing the two applications being CAN 1 of 2023 and CAN 2 of 2024. Pursuant to complaints made by the contemnors an one main Staff Court of Inquiry (in short, "SCOI") was commenced against the petitioner. The SCOI despite resistance from the petitioner held such inquiry and opined that disciplinary proceedings be initiated against the petitioner, an Assistant Commandant (Electrical) in Border Security Force. The respondent no.4 initiated the disciplinary proceedings and after recording of evidence, the General Security Force Court (in short, "GSFC") was constituted against the petitioner. Challenging the said action the writ petition was filed. The GSFC was permitted to be

proceeded with but the final result was directed not to be published or circulated. By an order dated 31st January, 2025 passed in CAN 2 of 2024, this Bench had directed the Confirming Authority to proceed with the trial and apprise this Court about the same.

After hearing the parties and considering the materials on record, I find that the petitioner has been found “not guilty” and, as such, this writ petition has lost its force wherein the petitioner had challenged the disciplinary action initiated against him.

In view of such developments, the respondents and in particular the Competent Authority is directed to allow all normal facilities and emoluments to the petitioner commensurate with his post as held.

Let a copy of this order be served on respondents as and by way of abundant caution though the respondents are represented.

The respondents should communicate the order passed in the disciplinary proceedings to the petitioner. The documents placed before this Court being the originals, are returned back to the custody of the learned advocate for the respondent no.3.

Nothing further remains to be adjudicated in this writ petition. The writ petition being WPA 12845 of 2023 along with connected applications being CAN 1 of 2023 and CAN 2 of 2024 is accordingly disposed of.

(Arindam Mukherjee, J.)