

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

16.07.2025

Ct. no.2
Daily List Sl. No. 1
Moumita

WPA 12945 OF 2025

**Shri Dipankar Dey
Vs.
Union of India & Ors.**

Mr. Dipankar Dey
(in-person)
.... **For the Writ Petitioner**

Mr. Kumar Jyoti Tiwari, Ld. Sr. Adv.
Mr. D. N. Ray, Ld. Sr. Adv.
...**For the Union of India**

Mr. Sanajit Kumar Ghosh
....**For the Railway**

Mrs. Tanusree Ghosh
Mr. Siddhartha Gupta
....**For the Respondents**

Mr. Samarjit Roy Chowdhury
Mr. Sourav Mondal
....**For Union of India**

Affidavit-of-service, filed in Court today is taken on record.

Mr. Dipankar Dey, the writ petitioner appears in-person.

Mr. Kumar Jyoti Tiwari, learned senior advocate with Mr. Sanajit Kumar Ghosh, learned advocate appears for the respondents.

Mr. Samarjit Roy Chowdhury, learned advocate with Mr. Sourav Mondal, learned advocate appears for the Union of India.

At the outset the respondents jointly have taken the point of maintainability of this writ petition. They submit

that the alternative, efficacious and statutory remedy is available before the jurisdictional Central Administrative Tribunal.

On perusal of **Section 14 of the Administrative Tribunal Act, 1985** read with the relevant Rules, this court is of the view that the cause in this writ petition should have been agitated before the jurisdictional Central Administrative Tribunal.

Accordingly, the petitioner is granted liberty to file appropriate proceeding before the jurisdictional Central Administrative Tribunal on the same set of facts and on the self-same cause-of-action.

In the event, the said application is filed before the jurisdictional Central Administrative Tribunal within **six weeks** from date, the Tribunal shall dispose of the same as expeditiously as possible by passing a reasoned decision in accordance with law.

In the event, the petitioner applies/prays for any interim relief such interim prayer shall be disposed of by the Tribunal positively within a period of **six weeks** from the date of filing of the said application before the Tribunal after hearing the parties and by passing a reasoned order.

It is made clear that this court has not gone into the merits of the claim of the writ petitioner and the writ petition and all points are kept open for the petitioner to urge before the jurisdictional Tribunal.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition, **WPA 12945 of 2025** stands ***disposed of***, as not maintainable in the writ jurisdiction on the ground of available alternative remedy and not on merit.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)