

W.P.A. 13629 of 2025

**Sri Bijan Pramanik
Vs.
The State of West Bengal & Ors.**

Mr. Shamim ul Bari
Ms. Asmita Mitra
...for the petitioner
Mr. Bhaskar Prasad Vaisya
Mr. Ranjan Saha
...for the State
Ms. Sumita Sen
Mr. Kaushik Chowdhury
...for the DPSC, Birbhum

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner submits that petitioner was placed under suspension with effect from 4th March, 2025 vide memo dated 24th March, 2025 issued by the Chairman, District Primary School Council, Birbhum in view of the fact that petitioner was implicated in a criminal case in connection with Paikar P.S. Case No. 101/25 dated 4th March, 2025. It is also contended that petitioner remained in custody from 4th March, 2025 to 18th March, 2025 and subsequently petitioner was enlarged on bail on and from 19th March, 2025.
3. It is contended since petitioner is enlarged on bail concerned respondent authorities need to withdraw suspension order dated 24th March,

2025 thereby permit him to resume duty as primary teacher.

4. State respondents and District Primary School Council, Birbhum are represented by learned advocates. It is submitted on behalf of District Primary School Council, Birbhum that charges leveled against the petitioner in connection with criminal case is serious.
5. Having considered the submissions made on behalf of the parties, writ petition stands disposed of directing Chairman, District Primary School Council, Birbhum being respondent no. 5 to take decision on the prayer of the petitioner to permit him to resume duty as primary teacher subject to final outcome of criminal proceeding by withdrawing suspension. Such decision to be taken by the respondent no. 5 by passing a reasoned order within a period of 6 (six) weeks from the date of communication of this order after granting opportunity of hearing to the petitioner or his representative.
6. Decision to be taken by the respondent no. 5 shall be communicated to the petitioner by 10 days thereafter.
7. Concerned respondents are also directed to release subsistence allowance, if same is not paid.

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

(Saugata Bhattacharyya, J.)