

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

W.P.A. 14313 of 2025

ML- 13.11.2025  
122 Ct.02  
rkd DO

Biswanath Kharkari & Ors.

-vs-

The State of West Bengal & Ors.

Mr. Lalratan Monda,  
Mr. Dilip Kumar Sadhu

....for the petitioners.

Mr. Sk. Md. Galib,  
Mr. Manish Biswas

....for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. It is submitted by the learned advocate representing the petitioners that previously petitioners were Naxalites and they surrendered before the concerned respondent authority which makes them entitle to be considered for being engaged as Home Guard in terms of the Rehabilitation Scheme issued vide notification dated 5<sup>th</sup> December, 2013.
3. It is also contended that petitioners made representations before the Superintendent of Police, Jhargram.
4. However, on perusal of the representations made by the petitioners and the writ petition it cannot be deciphered when petitioners surrendered before

the concerned authority.

5. State respondents are represented by learned advocates and it is submitted that a Rehabilitation Scheme was introduced for erstwhile Naxalites who subsequently surrendered vide notification dated 5<sup>th</sup> December, 2013.
6. However, in the present writ petition, it is not disclosed by the petitioners that when they surrendered. Extension of benefit of Rehabilitation Scheme depends upon the fact of surrendering by the Naxalite.
7. Having considered the submissions made on behalf of the parties Court grants leave to the petitioners to file comprehensive representations disclosing dates when they surrendered before the concerned authority and other relevant particulars by three weeks from date.
8. Such representations are to be made before the Additional Director General, Intelligence Branch, West Bengal being the Head of the Scrutiny Committee.
9. If such representations are made within the aforesaid time before the Additional Director General, same shall be decided by twelve weeks thereafter on granting opportunity of hearing to the petitioners or their representatives.

10. A reasoned decision shall be taken by the Additional Director General, Intelligence Branch and same to be communicated to the petitioners by ten days thereafter.
11. Leave is granted to the learned advocate representing the petitioners to amend the cause title of the writ petition and add Additional Director General, Intelligence Branch, West Bengal as additional respondent in course of this day.
12. However, service of notice upon the additional respondent stands dispensed with since State respondents are represented by learned advocates.
13. The writ petition stands disposed of.
14. There shall be no order as to costs.
15. Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

**(Saugata Bhattacharyya, J.)**