

M/L 38
12.06.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 16311 of 2024

Sri Pallab Basu
Vs.
Union of India & Ors.

Ms. Pompey Bose
Mr. Anjan Banerjee

...for the Petitioner.

Mr. Atarup Banerjee
Ms. Sarda Sha

...for the Union of India.

1. Supplementary affidavit filed on behalf of the petitioner filed in Court today is taken on record.
2. The petitioner was a Station Ticket Booking Agent in the Uluberia-1 railway station. A complaint was lodged against him and his contract stood terminated by the order of the Senior Divisional Commercial Manager, South Eastern Railway, Kharagpur vide order dated 18th August, 2023.
3. Specific case of the petitioner is that there has been violation of principles of natural justice as the copy of the complaint was not served upon the petitioner. The petitioner was not given any opportunity to controvert the allegations made against him.
4. Upon hearing the submissions made on behalf of the parties and on perusal of the impugned order, it appears that the order of termination is an absolute non-speaking one. The reason for termination has not been disclosed in the said order.

5. Apart from a bald statement that the act of the petitioner is in clear violation of item no. 1.2 of the terms and conditions of the contractual agreement there is nothing on record to suggest that prior to terminating the contract, the petitioner was given opportunity of hearing to defend himself.
6. In view of the above, the impugned order of termination dated 18th August, 2023 is set aside. The matter is remanded back to the Senior Divisional Commercial Manager, South Eastern Railway, Kharagpur to revisit the issue all over again after giving the petitioner a reasonable opportunity to defend himself. All documents relied upon by the authority for the purpose of taking a decision in the matter shall be provided to the petitioner with an opportunity to controvert the same.
7. Steps shall be taken in the matter at the earliest but positively within a period of eight weeks from the date of communication of this order.
8. The writ petition stands disposed of.
9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)