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

Present:

The Hon'ble Justice Aniruddha Roy

WPA 17863 OF 2025

Md Sabir Hossain

Vs.

The State of West Bengal & Ors.

For the petitioner : Md. Wasim Akram, Adv.
For the Respondents / State : Mr. Swapan Banerjee, AGP
Ms. Munmun Ganguly, Adv.

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Heard on : August 27, 2025

Judgment on : August 27, 2025

Aniruddha Roy, J. :

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

Md. Wasim Akram, learned Advocate appears for the petitioner.

Ms. Munmun Ganguly, learned Advocate with Mr. Swapan Banerjee, learned Additional Government Pleader appears for the respondents State.

The facts are admitted to the extent that, the petitioner was engaged on **contractual** basis as a **Village Police Volunteer**. The petitioner has served

during the period **2013 to 2025**. The petitioner complains that, suddenly the petitioner was demobilized on **January 31, 2025** and on and from **February 1, 2025** he was not allowed to perform his duties. The petitioner submitted an application under the **Right to Information Act** at **page 20** to the writ petition. Reply was given to the petitioner by the appropriate authority dated **May 26, 2025** at **page 19** to the writ petition wherefrom it appears that, allegation of **dereliction of duties** time and again were leveled against the petitioner. The petitioner subsequently on **May 31, 2025, Annexure-P3 at page 22** to the writ petition has submitted a representation for resumption of his duty. The same has not yet been disposed of, according to the petitioner.

Learned State Advocate Ms. Ganguly has placed a written instruction received by her from her clients dated **August 10, 2025** issued under the seal and signature of the Inspector-in-Charge, Kaliachak Police Station, Malda. The same is taken on record. The statements made in the said report along with the documents appended thereto also insync with the reply sent to the petitioner under the Right to Information Act showing diverse allegations of dereliction of duties from time to time leveled against the petitioner by the police authority.

Copy of the report has been served upon the petitioner in Court today.

After considering the submissions made on behalf of the parties and on perusal of the materials on record it appears to this Court at the outset that, the employment of the petitioner was **contractual**. The termination of the

contractual employment cannot be considered by this Constitutional Court in its high prerogative writ jurisdiction.

Inasmuch as, the reports of the employer show there were diverse allegations of ***dereliction of duties*** against the petitioner from time to time.

In exercise of its equitable jurisdiction also, this Constitutional Court does not inclined to interfere with the termination of service of the petitioner, in the facts and circumstances of this case, as indicated above.

In view of the foregoing discussions and reasons this writ petition, **WPA 17863 of 2025** stands ***dismissed***, without any order as to costs.

(Aniruddha Roy, J.)