

Dd 22 25.09.2025

FMA/1435/2025
XXXX
VS
THE STATE OF WEST BENGAL AND ORS.
IA NO: CAN/1/2025

Ms. Pampa Dey (Dhabal),
Ms. Sangita Banerjee, Advocates
... .. For the Appellant

Mr. Anindya Lahiri, Sr. Adv.
Mr. Subhomoy Paul,
Mr. Anish Chakraborty, Advocates
... ..For the respondent No. 4

Mr. Swapan Banerjee,
Mr. Soumen Chatterjee, Advocates
... ..For the State

1. Appeal is directed against the order dated July 28, 2025 passed in WPA 1935 of 2025.
2. By the impugned order, learned Single Judge disposed of the writ petition after noting that the jurisdictional Court before which the proceedings were pending took cognizance of the offence.
3. We called for a report by our order dated September 9, 2025 from the State after noting that the private respondent No.4 was absconding although a Government employee. Report submitted on behalf of the State filed in Court be taken on record.
4. Report states that, the salary of the private respondent No. 4 was held up since November, 2024 since private respondent No. 4 was on unauthorized leave for an extended period of time. Report also states that, the private respondent No. 4 is presently in jail custody.

5. It appears that the private respondent No.4 surrendered before the jurisdictional Court and was taken into custody.
6. We find no reason to continue with the present appeal. The private parties are at liberty to avail of their remedies before the appropriate Court, in accordance with law.
7. Disposal of this appeal will not prevent the State from taking steps as against the private respondent No. 4 for the unauthorized absence or for other infraction with regard to his employment.
8. FMA/1435/2025 along with the connected application are **disposed of** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)