

WPA 21232 of 2025**Sk. Md. Arif Hasan****Vs.****State of West Bengal & Ors.**

Mr. Pratik Dhar,
Mr. Srijib Chakraborty,
Ms. Rupsa Sreemani

...for the Petitioner

Mr. Ranjay De,
Mr. Victor Chatterjee

...for Respondent Nos. 2 to 5

Mr. Anindya Lahiri,
Mr. Subhomoy Paul,
Mr. Anish Chakraborty

...for Respondent No. 6

The petitioner, presently posted as the Principal Magistrate, Juvenile Justice Board, Asansol, has filed this writ petition alleging that he has been arbitrarily denied promotion.

Mr. Pratik Dhar, learned senior advocate appearing on behalf of the petitioner, submits that a disciplinary proceeding is pending against the petitioner. It is submitted that, initially, owing to the said proceeding, the petitioner's promotion was deferred, with one promotional post being kept vacant, subject to the outcome of the disciplinary proceeding.

Learned counsel has drawn the attention of this Court to page 102 of the writ petition, which contains the revised merit-wise result of promotion to the post of Civil Judge (Senior Division)/Chief Judicial Magistrate (CJM) – 2024, dated August 21, 2025. He submits that one officer has already been promoted to the relevant post, thereby

effectively denying the petitioner his rightful promotion.

The learned advocate appearing for the High Court Administration, however, submits that the petitioner's promotion has only been deferred and not denied. It is clarified that the promotion of the petitioner shall be considered upon the final conclusion of the disciplinary proceeding pending against him.

This Court finds no exception to the stand adopted by the High Court. The sealed cover procedure is a well-recognised method in service jurisprudence. When the High Court itself has clarified that the petitioner's promotion has only been deferred following the sealed cover procedure, there is no justification for the petitioner's apprehension that his right to promotion has been finally denied.

Notwithstanding the disposal of the present writ petition, the petitioner shall be at liberty to urge all points available to him in the disciplinary proceeding.

It is desirable that the disciplinary proceeding be concluded as expeditiously as possible.

With the aforesaid clarification, **WPA 21232 of 2025** stands disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)

