

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. 25960 of 2025

27 25.11.2025
rkd Ct.02
DO

Sambhu Sarkar

-vs-

The State of West Bengal & Ors.

Mr. Joydeep Sen,
Ms. Ananya Neogi,
Ms. Anushka Ghosh

....for the petitioner.

Mr. Kishore Dutta,
Mr. Swapan Banerjee,
Ms. Sumitra Shaw,
Mr. Soumen Chatterjee

....for the State.

Mr. Ranjay De,
Mr. Victor Chatterjee

....for the respondent nos.2 to 4.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Petitioner is in judicial service against whom a disciplinary proceeding was initiated by the High Court Administration and it is contended by the learned advocate representing the petitioner that within the stipulated time as fixed by the Hon'ble Division Bench vide order dated 18th February, 2025 Enquiry Officer could not furnish enquiry report on concluding enquiry proceeding.
3. It is further submitted that since the Enquiry Officer failed to conclude enquiry proceeding and prepare enquiry report within the time stipulated

by the Hon'ble Division Bench in order dated 18th February, 2025 petitioner needs to be promoted to the next higher post irrespective of outcome of disciplinary proceeding initiated against him.

4. Mr. De, learned advocate representing High Court Administration has submitted a writing of Joint Registrar (G.A.-II) dated 24th November, 2025 and same is taken on record.
5. From the said document dated 24th November, 2025 it appears that Enquiry Officer submitted enquiry report on 17th March, 2025 in connection with disciplinary proceeding initiated against the petitioner and the issue is pending before the Administrative Committee for consideration.
6. On perusal of the order passed by the Hon'ble Division Bench on an intra Court appeal being MAT 2247 OF 2024 (Sambhu Sarkar v. The State of West Bengal & Ors.) it appears that the petitioner being the appellant in the said appeal was directed to file written statement of defence on 24th February, 2025 and thereafter Enquiry Officer was directed to proceed to record his findings and draw enquiry report and to place the same before the Disciplinary Authority within four weeks to be reckoned from 24th February, 2025.
7. As it appears from the document dated 24th

November, 2025 which is placed on record today that the Enquiry Officer submitted report on 17th March, 2025; therefore, it is found that within the time stipulated by the Hon'ble Division Bench in the order dated 18th February, 2025 Enquiry Officer was able to prepare the report and submitted the same before the Disciplinary Authority.

8. In view of steps taken by the Enquiry Officer in terms of the order dated 18th February, 2025 passed by the Hon'ble Division Bench, this Court expects that necessary steps shall be taken by the Disciplinary Authority in accordance with law shortly.
9. With the aforesaid observation, the writ petition stands disposed of.
10. There shall be no order as to costs.
11. 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.)