

WPA 25803 of 2025

Dipanjana Pal
Vs.
The State of West Bengal & Ors.

Mr. Billwadal Bhattacharyya, Sr. Adv.
Mr. Anish Kumar Mukherjee
Ms. M. Datta
Mr. T. Pramanick

... .. for the petitioner

Mr. Arjun Roy Mukherjee
Ms. Sucheta Banerjee

... .. for the State

1. Matter is heard at length in presence of the learned advocates representing the petitioner and State respondents.
2. By presenting this writ petition, inter alia, petitioner has questioned act and actions of the respondent authorities in not permitting him to function as Village Police Volunteer (for short VPV) under Nandigran Police Station. It is submitted that petitioner was appointed as VPV on 11th December, 2012 and by relying upon a document at page 24 to the writ petition it is submitted that date of superannuation of the petitioner is scheduled on 28th February, 2051.
3. It is contended by Mr. Billdwadal Bhattaharyya, learned Senior Advocate representing petitioner that petitioner is being illegally prevented from functioning as VPV and no steps have been taken thereby providing opportunity to the petitioner to

present his case before the concerned authority. Petitioner is also not aware of initiation of disciplinary proceeding against him. Prayer is made to protect the right of petitioner relating to continuity of his service as VPV.

4. Mr. Arjun Roy Mukherjee, learned advocate representing State respondents on instructions submits that certain steps were taken based on information received from concerned authority of Nandigram Police Station and it was found that petitioner ought not to be retained as VPV due to certain allegations. In support of same, a document containing findings of Three-Member-Committee signed on 11th October, 2025 is placed before this Court and same is taken on record.
5. It is further contended that there are allegations of insubordination, willful negligence and sharing information with others as it was reported by the Inspector-in-Charge, Nandigram Police Station. According to the State respondents based on such report of Inspector-in-Charge, Nandigram Police Station Three-Member-Committee made findings which were adverse to the interest of the petitioner resulting in passing order of demobilization against the petitioner.
6. On posing query to the learned advocate representing the State respondents it is found that

till date termination order is not supplied to the petitioner. Furthermore, it is also apparent from the submission made on behalf of the State respondents that no opportunity of hearing was provided to the petitioner before passing order whereby petitioner was demobilized. From findings of Three-Member-Committee dated 11th October, 2025 it transpires making certain allegations against the petitioner e.g. insubordination, negligence in duty and sharing information a report was forwarded to the higher authority and based on such report, order was passed as a result whereof petitioner is being prevented to resume duty from 15th October, 2025 till date.

7. Petitioner was kept in dark and behind his back all the steps were taken vitiating the proceeding initiated against the petitioner. If report of Inspector-in-Charge, Nandigram Police Station is found to be against the petitioner it was required to be supplied to the petitioner for granting him opportunity to furnish his explanation. That has not been done. When petitioner is serving as VPV from 11th December, 2012 at least before passing order of demobilization thereby preventing him from attending duty he ought to be provided adequate opportunity to present his case before an independent enquiry officer.

8. On consideration of the submissions made on behalf of the State respondents and on perusal of findings of Three-Member-Committee it is clear that required steps were not taken in order to comply with the principle of natural justice before passing order against the petitioner.
9. Therefore, the decision taken against the petitioner to demobilise him does not survive and same stands set aside. Findings of Three-Member-Committee dated 11th October, 2025 shall not be given effect to. Petitioner shall be immediately permitted to resume duty as VPV under Nandigram Police Station and shall be paid due remuneration.
10. However, this order shall not preclude the concerned respondent authorities to initiate proceedings against the petitioner in accordance with law if situation so arises.
11. Document containing findings of Three-Member-Committee dated 11th October, 2025 is made over to the learned advocate representing petitioner during course of hearing.
12. Writ petition stands disposed of.
13. Urgent xerox certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Saugata Bhattacharyya, J.)