

12.06.2025
Sl. No.2
akd

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI

W. P. A. 1180 of 2025

[Anukul Barman -Vs- The State of West Bengal & Ors.]

Ms. Bedashruti Bose
Mr. Subham Chanda
Ms. S. Brahma Ray
... .. for the petitioner

Mr. Anirban Banerjee
Mr. Sandip Guha Roy
... .. for the State

1. Leave is granted to the learned Advocate-on-record for the petitioner to correct the cause title of the writ petition with respect to respondent no.3 and to carry out the necessary amendment during the course of the day.
2. Affidavit-of-service filed in court today is taken on record.
3. The petitioner has preferred the present writ petition alleging inaction on the part of the respondent authorities in not deciding his representation for reinstatement as Block Coordinator under 'Mission Nirmal Bangla' Prokolpo.
4. It is the case of the petitioner that he was appointed as Block Coordinator under 'Mission Nirmal Bangla Prokolpo' in Alipurduar district, by notification being Memo No. 1433/FKT/MNB/2016 dated 24.08.2016 on a temporary contractual basis and was valid for one year from the date of joining which will be renewable annually, as per the agreement. The service of the petitioner was renewed annually for three successive years from the date of his appointment. In the year 2023, the petitioner was falsely

implicated in a criminal case vide Falakata Police Station Case No.471 of 2023 dated 20.09.2023 under Sections 406/420/306/506 of the Indian Penal Code and was arrested on 04.12.2023 and was behind the bars for a period of 161 days. Thereafter, he was released on bail by the Hon'ble High Court, Circuit Bench, Jalpaiguri. Immediately after being released on bail, he approached the respondent authorities seeking reinstatement to his former post. However, he was not allowed to join back in service and hence, he made several representations to the respondent authorities, the last being on 11.03.2025, requesting to reinstate him back in service. However, none of his representations have been responded by the respondent authorities.

5. Learned Advocate for the State-respondents submits that the authorities are willing to decide the petitioner's representation dated 11.03.2025.

6. In view of the submission made by the learned Advocate for the State-respondents, learned counsel for the petitioner submits that his client shall be satisfied if the representation dated 11.03.2025 is decided in a time bound manner by the competent authority.

7. Accordingly, this Court directs the District Magistrate, Alipurduar (respondent no.2) to decide the representation of the petitioner dated 11.03.2025 and pass a speaking order within a period of six weeks from the date of communication of this order after affording an opportunity of personal hearing to the petitioner.

8. Needless to mention, the petitioner shall be at liberty to challenge the said speaking order if he is aggrieved by the same.

9. With the aforesaid directions, the present writ petition is disposed of.

10. There shall be no order as to costs.

11. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

12. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)