

**CALCUTTA HIGH COURT IN THE CIRCUIT BENCH
AT JALPAIGURI**

4
22.07.2025
Ct. No. 2
adeb

WPA 1470 of 2025

**Dhajen Roy
Vs.
The State of West Bengal & Ors.**

**Mr. Hillol Saha Podder
Ms. Mousumi Das
....for the petitioner**

**Mr. Subir Kumar Saha, Ld. AGP
Mr. Kumar Shantanu
...for the State**

**Mr. Amalesh Roy
Ms. Mousumi Bhowal
...for the DPSC, Coochbehar**

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Petitioner is a primary teacher who was placed under suspension with effect from 18th November, 2024 in view of his involvement in a criminal case being PS Mathabhanga Case No. 832/24 dated 9th November, 2024 under Sections 406/420/417/34 of IPC. Chairman, District Primary School Council, Coochbehar being respondent no. 5 issued suspension order since petitioner was taken into custody on 18th November, 2024 vide memo dated 22nd November, 2024. Petitioner was under deemed suspension since petitioner was taken into custody from 18th November, 2024 and it is submitted that petitioner was enlarged on bail on 18th January, 2025.

3. Learned advocate representing the petitioner prays for lifting of suspension order which would permit him to resume duty as primary teacher.
4. State respondents and District Primary School Council, Coochbehar are represented by learned advocates.
5. Learned advocate representing District Primary School Council, Coochbehar appears on virtual mode and has submitted that allegation against the petitioner is serious since petitioner gave false assurance of giving appointment to another person and took money.
6. Having considered the respective submissions made on behalf of the parties writ petition stands disposed of directing respondent no. 5 to take decision on the prayer of the petitioner seeking lifting of suspension order and permit him to resume duty as primary teacher by 6 (six) weeks from the date of communication of this order. Respondent no. 5 is directed to pass a reasoned order after granting opportunity of hearing to the petitioner or his representative. Decision to be taken by the respondent no. 5 shall be communicated to the petitioner by 10 (ten) days thereafter.
7. Concerned respondent authorities are directed to release subsistence allowance to the petitioner regularly during his period of suspension in accordance with law.

8. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)