

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/233/2025
SNEHASISH KAR
VS
UNION OF INDIA AND ORS

BEFORE:

The Hon'ble JUSTICE TIRTHANKAR GHOSH

Date : 21th May, 2025

Appearance:
Mr. Dinabandhu Chowdhury, Adv.
Mr. Iresh Paul, Adv.
Mr. Amal Kumar Saha, Adv.
...for the petitioner
Mr. Ashok Kumar Chakraborty, Ld. ASGI
Mr. Kumar Jyoti Tiwari, Adv.
Ms. Amrita Pandey, Adv.
Mr. S. Ghosh, Adv.
...for the respondent nos. 1 and 4
Mr. Amajit De, Adv.
... for the respondent nos. 2 and 3.

The Court:- Pursuant to the earlier directions passed by this Court a report has been submitted by the Superintendent of Police, CBI, ACB, Kolkata enclosing the rules from the CBI(Crime) Manual, 2020. It has also been pointed out that there are provisions in Para 6.5.15 of Chapter 6 of the CVC manual. In view of Rule 19.1 and the Sub-rule incorporated therein, the letters issued by the CBI was within the parameters of the manual. Whereas the foundational facts as has been agitated by the petitioner would fall within 19.1 or not is a question of fact which has to be decided by a separate forum.

This Court while exercising its jurisdiction under Article 226 of the Constitution of India particularly with regard to group and classification referred to will not enter into the said domain. The present reliefs sought for by the petitioner are exclusively related to his service. Consequently the petitioner having knowledge as he earlier approached the Central Administrative Tribunal would seek necessary advice for the remedies sought for.

Mr. Chakraborty, learned ASG submits that the memorandum of charges have already been issued pursuant to the letter under challenge. Be that as it may, if the petitioner has a right under law to challenge any document, this Court will not comment in the light of the observations made above.

With the aforesaid observations WPO/233/2025 is disposed of.

Report so submitted by kept with the record.

A copy of the report be handed over to the learned Advocate appearing for the petitioner.

(TIRTHANKAR GHOSH, J.)