

**F.M.A. 383 of 2025
With
CAN 1 of 2025**

**Swapan Pramanik
Vs.
The State of West Bengal & Ors.**

Mr. Partha Pratim Roy,
Mr. SM Samim Ullah,
Mr. Sarbananda Sanyal,
Mr. Samrat Chakraborty

...for the Appellant

1. Heard the learned advocate for the appellant.
2. The appellant claims to be a Civic Police Volunteer who was demobilised on account of his implication in a false criminal case instituted by his wife alleging offence under Section 498A IPC.
3. The learned advocate for the appellant submits that the appellant was demobilised in January, 2016. Subsequent upon his acquittal on 27.02.2024, he approached the district police authorities for allowing him to resume his duties as a volunteer.
4. The Writ Court considering the appellant's claim unsustainable on account of the nature of duty being discharged by the petitioner to assist the police force as a volunteer, which is not governed by any service rule, did not find force in the submission of the appellant's learned advocate

that upon his acquittal he was required to be taken back as a volunteer.

5. We have gone through the record and made a specific query from the learned advocate representing the writ petitioner/appellant as to whether there is any chit of paper to show that he has discharged duty as a Civic Police Volunteer for a single day. No such document is placed on record in the writ proceeding.
6. We find only two representations made to the Superintendent of Police, one dated 09.11.2019 and the other subsequent upon his acquittal. The claim of the appellant of having worked as a Civic Police Volunteer varies in the representations and averments made in the writ petition. In paragraph three of the writ petition, he claims to be working since 19.07.2014. In a representation dated 09.11.2019, he claimed to be working since long. In his representation dated 09.05.2024, he claims to be working since 2013.
7. We find no enforceable claim made out in the pleadings, let alone be supported by any documentary evidence so as to make out any subsisting right to be enforced by issuance of a direction in exercise of writ jurisdiction.

8. We find no infirmity in the order dated 02.01.2025 passed by the Hon'ble Single Judge dismissing WPA 27942 of 2024.
9. The appeal is dismissed.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)