

20-04-2026
Item No.10
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction

Appellate Side

WPA No.7466 of 2026

Arun Kumar

-vs-

Union of India & Ors.

Mr. Sudip Patra
Mr. Prem Prakash
Ms. Shruti Jain
Mr. Sourav Singh ...for the petitioner

Mr. Rananjay Chatterjee
Mr. Sukanta Banerjee
Mr. Aveek Biswas ...for the Union of India

1. The petitioner is serving in the Border Security Force (BSF). He is aggrieved by the decision of the authority to initiate disciplinary proceeding against him.
2. The petitioner submits that he is no way related to the allegation of making unauthorized construction or misappropriation of fund.
3. It has also been submitted that if the petitioner participates in the disciplinary proceeding, his promotion will get stalled.
4. Learned counsel for the respondents submits that the petitioner himself has admitted that he received Rs.75,000/- in cash from a civil supplier against an order of supply from the civil store, and the said money has been misappropriated for his own use for making repairs in his building.
5. Upon hearing the respective parties, it appears that the disciplinary proceeding has merely

commenced but the petitioner has not participated in the same at all citing medical reasons.

6. If the petitioner has a defence against the allegations made against him, the petitioner ought to place the same before the disciplinary authority. It will not be proper for the writ Court to stall the disciplinary proceeding which is at a very nascent stage.
7. In view of the above, the prayer of the petitioner for entertaining the writ petition seeking for a declaration that the initiation of the disciplinary proceeding is arbitrary and motivated cannot be accepted by the Court.
8. The writ petition fails and is hereby dismissed.
9. It will open for the petitioner to participate in the disciplinary proceeding which will be conducted strictly in accordance with law.
10. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
11. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

