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09.06.2026
Court No. 18
D.Hira

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 8575 of 2021

**Satya Ranjan Chakraborty
-versus-
The Life Insurance Corporation of India & Ors.**

**Mr. Dr. Siddhartha Goswami,
Mr. Soumyadeep Das,
Ms. Upasana Shaw.
...For the Petitioner**

**Mr. Avishek Guha,
Mr. Subhajit Das.
... for the LIC**

1. The order dated 14th March, 2019 passed by the Senior Divisional Manager, Life Insurance Corporation rejecting the prayer of the petitioner for re-engagement is impugned in the instant writ petition.
2. The facts of the present case are recorded in the order dated 5th February, 2019 passed by this Court in W.P. No. 14725 (W) of 2018 filed by the petitioner.
3. The Court was pleased to record that the disciplinary proceeding initiated against the petitioner who was serving as Development Officer of Life Insurance Corporation resulted in imposition of punishment of dismissal from service. The

departmental appeal and the review filed against the same stood dismissed.

4. The writ petition filed by the petitioner challenging the order of dismissal also stood dismissed by the Hon'ble Single Judge, affirmed by the Hon'ble Division Bench and also by the Hon'ble Supreme Court.
5. In terms of the leave granted by the Hon'ble Division Bench for filing representation for re-engagement, the petitioner filed a representation which was duly considered by the authority and the same stood rejected. The order passed by the authority rejecting such prayer is impugned in the instant writ petition.
6. In the order dated 26th August, 2011 passed by the Hon'ble Division Bench in the appeal preferred by the petitioner being FMA 350 of 2010, the Court specifically recorded that after the learned Trial Judge has read the fact and came to the conclusion that the guilt of the petitioner stood proved, the Appellate Court has nothing to add to the same.
7. The Hon'ble Division Bench found that there was no procedural lapse or failure to record the order of dismissal and was pleased not to interfere with the same. The Court however, made it clear that the order of dismissal of the appeal will not prevent and prejudice the petitioner to make a representation to

the authority for re-engagement as an agent as and when such engagement will be called for.

8. Specific submission of the petitioner in the instant writ petition is that he is not agreeable or willing to be re-engaged as an agent. The petitioner intends and seeks re-engagement as Development Officer.
9. Learned advocate for the petitioner asserts that the educational certificates relied upon by him are authentic.
10. The aforesaid submission of the petitioner and the prayer made for re-engagement as Development Officer is opposed by the learned advocate representing the Life Insurance Corporation. Specific case of the Corporation is that the certificates relied upon by the petitioner are false and fake.
11. It has been submitted that proceedings ought to be initiated against the petitioner for interpolating the order passed by the Hon'ble Division Bench of this Court. The petitioner deliberately omitted the word 'agent' as mentioned in the operative portion of the order dated 26th August, 2011 in FMA 350 of 2010.
12. The aforesaid order passed by the Hon'ble Division Bench has been annexed by the Life Insurance Corporation at pages 36 and 37 of the affidavit-in-opposition filed to the writ petition.

13. Life Insurance Corporation has also annexed documents issued by the Principal of the College and the University of Ranchi clearly certifying that the certificates relied upon by the petitioner are fake ones and not issued by the College.
14. Upon hearing the submission made on behalf of both the parties and on perusal of the materials on record, it is evident that the petitioner was dismissed from service on the ground of producing fake documents at the time of obtaining appointment.
15. Such factual finding and the order of dismissal was challenged by the petitioner in the writ petition filed by him in the year 2006 being W.P. 23124 (W) of 2006.
16. The learned Single Judge vide order dated 9th April, 2007 was pleased to dismiss the writ petition clearly holding that the Court exercising jurisdiction under Article 226 of the Constitution will not act as an appellate authority to the findings arrived at in a validly constituted departmental proceeding. The order passed by the learned Single Judge stood affirmed by the Hon'ble Division Bench way back on 26th August, 2011 in FMA 350 of 2010.
17. The Hon'ble Division Bench affirmed the order of dismissal but was pleased to show some sympathy to the petitioner and granted liberty to make

representation for re-engagement as agent as and when such engagement will be called for.

18. The petitioner has plainly denied and has expressed his unwillingness to be re-engaged as an agent.

19. In view of such assertion made by the petitioner, there is hardly any scope for reconsideration of his prayer for re-engagement as Development Officer as such prayer already stood rejected by the Court on an earlier occasion and there is no scope to re-agitate or re-open the issue all over again.

20. There is hardly any scope to pass order upon re-appreciation of facts already adjudicated by the Court. Such prayer would be barred following the principle of res judicata.

21. The writ petition fails and is hereby dismissed.

22. Urgent certified photostat copy of this order, if applied for, be given to the parties on compliance of requisite formalities.

(Amrita Sinha, J.)