

S/L 5
14.05.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 8653 of 2026

Dipankar Lala

Vs.

The State of West Bengal & Ors.

Mr. Sunit Kumar Roy

Mr. Surajit Basu

Mr. Debojyoti Poddar

Ms. Jasika Alam

Ms. Susmita Mondal

...for the Petitioner.

1. Affidavit of service filed in Court today be kept with the records.

2. None represents the respondents despite service.

3. The petitioner is serving as Inspector of Drugs at the Directorate of Drugs Control, West Bengal under the Department of Health and Family Welfare. He is aggrieved by the manner in which he has been graded in the gradation list.

4. Submission of the petitioner is that his experience has not been considered at the time of preparation of the gradation list. For non-granting of marks on account of his experience, he has been placed at a lower rank.

5. He submits that had his experience been taken into consideration for preparation of the gradation list, then he ought to have been placed at a higher rank.

6. With the aforesaid allegation, the petitioner approached the West Bengal Administrative Tribunal by filing OA No.248/2025. As the Tribunal is not functional for a considerable period of time and the

Original Application filed by the petitioner is pending consideration, accordingly, the petitioner has approached the Court under Article 226 of the Constitution of India for relief.

7. Admittedly, the Tribunal is non-functional and a litigant ought not to suffer for non-availability of the judicial forum. Accordingly, the writ petition filed by the petitioner is entertained.

8. Learned advocate for the petitioner submits that a detailed representation was made before the Director, Directorate of Drugs Control in April 2025 but the same is pending consideration till date.

9. Prayer has been made to direct the Director to consider and dispose of the petitioner's representation.

10. As it appears that the representation filed by the petitioner is pending consideration before the respondent authority, accordingly, no useful purpose will be served by keeping the writ petition pending.

11. The instant writ petition stands disposed of by directing the Director, Directorate of Drugs Control, Department of Health and Family Welfare, the respondent no.6 herein to take a decision on the petitioner's representation strictly in accordance with law at the earliest, but positively within a period of six weeks from the date of communication of this order.

12. A reasoned order shall be passed and communicated to the petitioner.

13. If the grievance of the petitioner is found to be proper, then necessary remedial steps shall be taken by the authority without any further delay.

14. Learned advocate for the petitioner is directed to forward a copy of the representation dated April 2, 2025 to the aforesaid respondent at the time of communicating the order of the Court.

15. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

16. Certified copy of this order, if applied for, shall be made available to the parties.

(Amrita Sinha, J.)