

19-06-2026
Item No.3
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.13239 of 2026
Samarjit Acharya & Anr.

-vs-

The State of West Bengal & Ors.

Mr. Ujjal Ray, adv.
Mr. Atreya Chakraborty, adv.
Mr. Binit Kumar, adv. ...for the petitioners

Mr. Subhendu Bandhopadhyay, adv.
Mr. Atanu Basu, adv.
Ms. Manisha Paswan, adv. ...for the State

Mr. Indranil Roy, sr. adv.
Mr. Sunit Kumar Roy, adv. ...for WBCSSC

1. The two petitioners are serving as Programme Officers under a contract with the West Bengal Central School Service Commission. As per the contract, their service is to continue up to sixty years of age. As the petitioners were in service and also responsible for entering the date in the First SLST, 2016 and also the Second SLST, 2025, a proceeding under the Prevention of Corruption Act, 1988 has been initiated against them.
2. The petitioners came across a communication dated June 11, 2026 issued by the Additional Secretary to the Government of West Bengal, School Education Department, Secondary Branch addressed to the State Informatics Officer, National Informatics Centre mentioning that two contractual employees of the Commission who

have been doing maintenance of date base in connection with the ensuing recruitment process are likely to be terminated, as sanction for prosecution under Section 19(1) of the Prevention of Corruption Act, 1988 has been issued against them by the competent authority. Request was made before the State Informatics Officer for deputing one Senior Technical Person for at least six months under the disposal of the Commission to complete the entire recruitment process on time.

3. By an order dated June 12, 2026 by the Secretary, West Bengal Central School Service Commission, the petitioners have been ordered to hand over their respective charges including relevant CDs/pen drives of the examination processes.
4. The petitioners apprehend that their service may be terminated without initiating regular disciplinary proceeding.
5. Prayer has been made to set aside the impugned communication dated June 11, 2026 and to maintain status quo as regards their service.
6. Learned senior counsel representing the Commission submits that the writ petition is a premature one. No coercive or punitive steps have been taken against the petitioners till date. He seeks dismissal of the writ petition.
7. Upon hearing the respective submissions advanced by the parties and on perusal of the documents annexed to the writ petition, it appears that, as on date, service of the petitioners have not been interfered with by the authority. The petitioners have merely been ordered to hand over their respective charges. They are serving

under a contract which requires the employer to follow the provisions of the disciplinary measures of the State Government, if required. Right now, it does not appear that any cause of action has arisen for which the petitioners may be aggrieved. The writ petition has been filed on mere apprehension.

8. The writ petition is disposed of by observing that the employer would be bound to act in terms of the contract and in accordance with law.
9. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
10. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

