

09.03.2026
Sl. No. 53 (DL)
Ct. No.14
AN

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 13510 of 2025

Somen Roy

Versus

The State of West Bengal & Ors.

Mr. Tulsi Das Maiti

...for the Petitioner.

Mr. Arindam Chattopadhyay

Ms. Lipika Chatterjee

...for the DPSC, Nadia.

Ms. Anjusri Mukherjee

Mr. Pundari Kakhya Bhattacharjee

...for the State.

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. By the present writ petition, the petitioner seeks for withdrawal/quashing of the order of suspension issued by the respondent no.4, the Chairman, District Primary School Council, Nadia dated 18th April, 2019 (annexure P3).
3. The petitioner contends that the father of the petitioner late Sasanka Shekhar Roy was an Assistant Teacher of Gobindapur Nikunjanagar Convt. Junior Basic School under Santipur Circle, District Nadia who died-in-harness in the month of November, 2010. The petitioner was appointed on compassionate ground as an

Assistant Teacher of Char Collectory Primary School under Santipur New Circle, District Nadia vide Memo No. 2469 dated 22nd May, 2013. On a complaint of one Putul Rani Das (Dutta), a criminal case was initiated against the petitioner and others being Santipur P.S. Case No. 167 of 2019 under Sections 326/307/34 Indian Penal Code. The petitioner was arrested on 23rd March, 2019 and was enlarged on bail on 24th April, 2019. In terms of sub-rule 2 of Rule 7 of the Notification no. 906-SE(PRY) dated 9th July, 2001 of the School Education Department, Government of West Bengal, the petitioner was suspended with effect from 26th March, 2019 as per order issued by Chairman, DPSC, Nadia dated 18th April, 2019. Upon completion of the investigation, chargesheet has been submitted. On 21st June, 2024, the petitioner made an application for re-joining before respondent no. 4, Chairman, DPSC, Nadia. However, the same is still pending consideration. Hence this writ petition.

4. Mr. Tulsi Das Maiti, learned Advocate appearing for the petitioner submits that the matter may be relegated to the appropriate authority to take a decision with regard to the representation made by the petitioner for withdrawal of the suspension order.
5. Learned Advocates representing the DPSC, Nadia and the State-respondents concedes to such submissions.
6. In view of the above, respondent No. 4, the Chairman, District Primary School Council, Nadia is directed to

consider the representation of the petitioner dated 21st June, 2024 in accordance with law upon notice to the petitioner by passing a reasoned order within a period of six weeks from the date of communication of this order.

7. The reasoned order shall be communicated to the petitioner within a week from the date of passing of such order.
8. Learned advocate for the petitioner is directed to communicate this order to respondent No. 4, the Chairman, District Primary School Council, Nadia, for necessary compliance.
9. With the above direction, the writ petition being **WPA 13510 of 2025** stands disposed of.
10. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
11. Interim order, if any, stands vacated.
12. All connected applications, if any, stand disposed of.
13. There shall be no order as to costs.
14. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
15. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)