

IN THE HIGH COURT AT CALCUTTA

CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 14924 OF 2025

MD BADARUDDOZA

VS.

THE UNION OF INDIA & OTHERS

Mr. Partha Sarathi Bhattacharyya, Sr. Adv.

Mr. Sufi Kamal, Adv.

Ms. Shireen Hossain, Adv.

...for the Petitioner

Mr. Sudipta Maiti, Adv.

Mr. Goutam Malik, Adv.

...for the RPF

1. Matter is heard in presence of the learned advocates representing the petitioner and the Railway Protection Force (for short, 'RPF').
2. Supplementary affidavit filed on behalf of the petitioner which is affirmed on 20th November, 2025, is taken on record.
3. Petitioner was initially appointed as Constable in RPF *vide* appointment letter dated 14th October, 1993.
4. Mr. Partha Sarathi Bhattacharyya, learned Senior Advocate representing the petitioner submits that in 2017 while discharging official duty petitioner sustained injury as a result thereof subsequently, petitioner could not discharge duty for a considerable period of time. In support of such submission, medical documents enclosed to this writ petition are relied upon. However, it is also

contended that petitioner was subsequently permitted to join at a different place of posting.

5. On behalf of the petitioner, *inter alia*, prayer is made for directing the concerned authorities of RPF to permit the petitioner to discharge duty by transferring him to a particular post where burden of work and requirement of physical activity is less. Such prayer has been made taking note of the fact that petitioner had sustained injury and is still suffering.
6. It is also submitted on behalf of the petitioner that petitioner may be paid salary for the period from October, 2023 to December, 2024 on regularizing said period when petitioner was unable to discharge duty. According to the petitioner, payment can be made to him on adjusting leave which was available to the petitioner.
7. RPF authority is represented by learned advocate who has opposed the prayer of the petitioner and has submitted that petitioner is presently posted at a place, after resumption of duty, where only desk work is required to be performed.
8. Having considered the submissions made on behalf of the parties, Court finds no purpose would be subserved in keeping this writ petition pending.

9. Leave is granted to the petitioner to make a representation to the Inspector General of Railway Protection Force, Eastern Railway being respondent no.3 by fortnight from date seeking posting where only office work is required to be performed and for payment of salary for the period from October, 2023 to December, 2024 on adjustment of leave which was available to the petitioner. If such representation is made within the aforesaid time to the respondent no.3, same shall be decided, in accordance with law, by ten (10) weeks from the date of communication of this order after granting opportunity of hearing to the petitioner or his representative.
10. Decision to be taken by the respondent no.3 shall be communicated to the petitioner by fortnight thereafter.
11. With the aforesaid directions, writ petition stands disposed of.
12. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)