

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Present :- Hon'ble Justice Amrita Sinha

WPA 21354 of 2025

Avijit Mallick
Vs.
The State of West Bengal & Ors.

For the writ petitioner	:-	Mr. Ramij Munsi, Adv.
For State	:-	Mr. Jahar Lal Dey, Sr. Adv. Mr. Pinaki Dhole, Adv.
Heard on	:-	08.04.2026
Judgment on	:-	08.04.2026

Amrita Sinha, J.:-

1. Affidavit of service filed in Court today is taken on record.
2. The undated report of the Superintendent of Police, Hooghly Rural Police District and the report of the Pandua Police Station dated 10th September, 2025 be also retained with the records.
3. The petitioner was serving a Civic Police Volunteer. He was terminated from his job in October, 2014 as he was charge-sheeted in a criminal case. Vide judgment dated 19th May, 2023, the petitioner has been acquitted of the charges framed against him.
4. Submission of the petitioner is that as he has been acquitted, he should be reinstated in his job. Representation filed by the petitioner with

prayer for reinstatement is alleged to be pending consideration before the authority. Prayer has been made to direct the respondent authority to consider the same.

5. Learned advocate for the petitioner relies upon the order passed in a similar matter where direction has been passed for consideration of the prayer for reinstatement.

6. Learned advocate representing the State respondents relies upon the undated report of the Superintendent of Police, Hooghly Rural Police District wherein the guidelines for eligibility, mode of induction, training, duties and termination of voluntary services for Civic Police Volunteers is annexed.

7. It appears therefrom that a volunteer will be ineligible for continuing in service if he is involved in any criminal case. It is on this ground that the job of the petitioner stood terminated.

8. Upon hearing the parties, it appears that, admittedly, the petitioner was involved in a criminal case when the order of termination was passed in the year 2014. The criminal proceeding was initiated in the year 2008 and the same stood concluded in the year 2023. The petitioner did not disclose his involvement in the criminal case at the time of applying for the job. Nearly twelve years have elapsed from the day he stood terminated. At this point of time, there is hardly any scope to direct the authority to consider the case of the petitioner for remobilization.

9. By order dated 29th April, 2025, relied upon by the petitioner, in WPA 4439 of 2025 (Simanta Murmu v. The State of West Bengal & Ors.) the Hon'ble Court merely directed the authority to take a decision on the issue as to whether the volunteer can be remobilized in service.

10. As the petitioner has not been able to produce before the Court any provision of law permitting remobilization of the demobilized Civic Police Volunteer, accordingly, the Court is not inclined to pass any order in favour of the petitioner.

11. Moreover, there is no provision for automatic remobilization/reinstatement on acquittal from a criminal case. Directing the authority to consider the prayer of the petitioner for remobilization will be an empty formality.

12. It will be open for the petitioner to apply for engagement as and when applications are invited from eligible candidates for engagement as Civic Police Volunteer.

13. The writ petition stands dismissed.

14. All parties shall act on the basis of a server copy of this judgment duly downloaded from the official website of this Court.

15. Urgent photostat certified copy of this judgment, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)