

2nd Feb., 2026
Item no.D/L 23
Court No. 18
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 26313 of 2025**
(CAN 1 of 2026)

In the matter of :
Smt. Rakhi Ganguly *Petitioners*
VS.
The State of West Bengal & Ors. *Respondents*

For the Petitioner:
Mr. Manoj Kumar Roy
Mr. Sandeep Ganguly
Mr. Suranjan Mandal
Ms. Tithi Mandal
Ms. Mousumi Biswas *Advocates*

For the State:
Mr. Supriyo Chattopadhyay
Mr. Sudip Kumar Maity *Advocates*

For the Respondent nos. 5-7&9:
Mr. Arjun Ray Mukherjee
Mr. Chayan Gupta
Mr. Soham Sanyal
Mr. Uday Sharma *Advocates*

1. The petitioner is aggrieved by the show-cause notice issued to her on 27th October, 2025 by the HR department of the Kingston Educational Institute.
2. According to the petitioner, there has been violation of the principle of natural justice. The authority, by issuing the show-cause notice, has simultaneously put her under suspension. The salary of the petitioner has not been paid for the last three months.

3. The petitioner contends that the same cannot be done. Prior to suspending the petitioner, an opportunity of hearing ought to have been granted.
4. It appears that the petitioner has already replied to the show-cause notice but thereafter the matter did not proceed allegedly because of pendency of the instant writ petition. The petitioner rushed to the Writ Court.
5. Prayer has been made to set aside the impugned show-cause notice.
6. The prayer of the petitioner has been opposed by the Kingston Educational Institute.
7. It has been submitted that the Institute is a private, unaided one. The writ petition will not be maintainable against the Institute.
8. Learned counsel representing the Institute also points out that no prayer has been made in the writ petition challenging the issuance of the impugned show-cause notice. Prayer has been made only for releasing the arrear salary and other benefits receivable by the petitioner.
9. Without entering into the merits of the prayer of the petitioner, it appears that the petitioner has approached the Court at the stage of issuance of the show-cause notice. Mere issuance of show-cause notice is not imposition of any penalty. It is merely an opportunity granted to the noticee to reply as to why proceeding shall not be initiated against him/her.
10. The Court is not inclined to interfere with the matter.

11. It is a very preliminary stage and it is not proper to enter into the merit of the show-cause notice unless and until it is shown that the same is palpably illegal and bad in law.
12. The instant writ petition is disposed of with the observation that it will be open for the parties to take steps in the matter in accordance with law, if so advised.
13. It is made clear that the Court has not entered into the merits of the claim of the petitioner.
14. As the writ petition is disposed of, no direction is being passed in the connected application. The same stands dismissed.
15. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)