

JPD-53
27.04.2026
Ct. No.06
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IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 2189 of 2024

RAHEMUL KHANDAKAR
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Ratan Banik, Adv.
Mr. Saptarshi Banik, Adv.
Mr. Shankar Sarkar, Adv.

...for the petitioner.

Mr. Nabankur Paul, Adv.
Ms. Bedashruti Bose, Adv.

...for the State.

1. The grievance of the petitioner is directed against multiple cases which have been filed against him in respect of the same chain of events.
2. Briefly, the petitioner was serving as Branch Post Master or Gramin Dak Sevak at Rashidanga Branch Post Office, Coochbehar. It is alleged that during the course of service, several complaints have been filed against the petitioner alleging corruption and misappropriation of funds to the extent of approximately Rs.5 crores. In this background and on the basis of different complaints filed before the Kotwali Police Station as well as by the Central Bureau of Investigation (CBI), appropriate proceedings have been initiated

against the petitioner. The petitioner complains of multiple cases on the basis of the same factual scenario which he has to defend before different authorities.

3. On the basis of the five First Information Reports (FIRs) and the proceedings being conducted by the Central Bureau of Investigation (CBI), the petitioner claims harassment and immense prejudice. It is also contended on behalf of the petitioner that it is not possible for him to attend the different dates and mark his appearance on a daily and regular basis.
4. On behalf of the respondent authorities it is submitted that there is no merit in the contentions of the petitioner and the petitioner is always at liberty to approach the appropriate Court under the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).
5. In view of the submissions made on behalf of the parties, there is no enforceable legal right which the petitioner has been able to demonstrate as to why the Writ Court should interfere in this matter. The allegations against the petitioner are grave and serious. There is also an element of public interest inasmuch as public funds from the Post Office have been defalcated. In view of the serious allegations made against the petitioner and the question of public interest involved in a matter

such as this, there is no discretion which is capable of being exercised in favour of the petitioner. There is also no violation of natural justice nor contravention of any statutory provision nor any other ground which warrants any interference.

6. In such circumstances, WPA/2189/2024 stands dismissed.
7. Liberty is granted to the petitioner to avail of its remedies under the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) in accordance with law.
8. It is made clear that there has been no adjudication on the merits of the case and all questions are left open for the Appropriate Authorities to decide in accordance with law.

(Ravi Krishan Kapur, J.)