8th October, 2026
(D/L No.32)
Ct. No.4
(SKB)

F.M.A. 39 of 2026
With
CAN 1 of 2026

Brijesh Kumar Singh
Versus
The State of West Bengal and others

Mr. Sakti Pada Jana,
Mr. Subhajyoti Das
… for the appellant.

Mr. Suman Banerjee,
Mr. Surajit Singh
… for the State.

Mrs. Koyeli Bhattacharyya,
Mr. Bibek Dutta,
Mr. Mnas Bhattacharyya
… for the W.B.B.S.E.

1. Heard the learned advocate for the appellant/writ petitioner.
2. On grounds of certain misappropriation of funds, the writ petitioner/appellant, a Group C employee in a D.A. getting school, was suspended. The criminal trial is ongoing in regard to the allegation. In view of his continued suspension, he approached the writ court earlier in W.P.2989(W) of 2008.
3. The writ court after according consideration to the nature of allegations pending against the writ petitioner/appellant *vis-a-vis* the desirability of allowing such a person to resume duties in a school found the continued suspension not

requiring any interference. The writ court held that the writ petitioner/appellant would be entitled to admissible subsistence allowance, however, *"the suspension shall be effective until the managing committee decides to revoke it"*.

4. The present writ petition was filed seeking a relief for revocation of the same suspension of the year 2006, which was the subject matter of W.P.2989(W) of 2008 covered by the direction of the Hon'ble Single Judge, extracted above.
5. Considering this aspect of the matter, the writ court did not find the petitioner's claim for revocation of suspension to be requiring any consideration. The writ court, in the present writ proceeding, took note of the fact that the order of W.P.2989(W) of 2008 was binding inter parties as it was not even assailed by the writ petitioner/appellant in the intra court appeal.
6. The order of the learned Single Judge dated 18.11.2025 passed in WPA 14846 of 2024 is the subject matter of the present intra court appeal. The learned Single Judge has dismissed the writ petition considering the facts and circumstances noted hereinabove.
7. We find no infirmity in the decision of the learned Single Judge Bench.

8. The appeal is, accordingly, dismissed. The application being CAN 1 of 2026 is also disposed of.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)