

17<sup>th</sup> December, 2025  
(D/L No.60)  
Ct. No.4  
(SKB)

**F.M.A.1069 of 2024**  
**With**  
**CAN 1 of 2024**

Debiprosad Chakraborty  
Versus  
The State of West Bengal and others

Mr. Kamalesh Bhattacharyya,  
Mr. Bidhan Biswas  
... for the appellant.

Mr. Avishek Prasad,  
Mr. Sourodeep Singha  
... for the DPSC, Malda.

Mr. Supriyo Chattopadhyay, Id. AGP,  
Ms. Sahina Sumi  
... for the State.

1. The submission of the learned counsel for the appellant is that even if accepted for the sake of argument without admitting to the same, the petitioner was unauthorizedly absent from 2016 to 2019, once he made an application for rejoining, it was incumbent upon the authorities to take appropriate decision in this regard.
2. On the contrary, they have sat over the issue for years together. When the appellant approached the writ court in the year 2023, the writ court has directed for initiating disciplinary proceeding against him.

3. Considering the circumstances and the submissions advanced on behalf of the appellant, we direct filing of an opposition by the State. Let the same be filed by 6<sup>th</sup> January, 2025. Let a copy of the same be served on the appellant's advocate.
4. Matter to appear after the ensuing Christmas holidays on **21<sup>st</sup> January, 2026**. In the meantime, it will be open to the appellant to file a reply, if required.

**(Madhuresh Prasad, J.)**

**(Prasenjit Biswas, J.)**