

Item No.- 9
09.09.2026
Court No. 25
Rohan

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA 24465 of 2026

**Dipak Kumar Tamili
Versus
State of West Bengal & Ors.**

Mr. S. Chakraborty
Mr. A. Mondal
Mr. W. Dafader
Mr. T. Pramanick

... for the Petitioner

Mr. Shib Shankar Banerjee
Mr. Sunny Nandy

... for the State

1. Affidavit of service filed in the Court is taken on record.
2. The petitioner has filed the present writ application challenging the hearing notice issued by the Sub-Divisional Magistrate & Sub-Divisional Officer, Egra, Purba Medinipur dated 26th August, 2026 directing the petitioner to appear before the Sub-Divisional Officer on 9th September, 2026 at 2:00 P.M. with regard to selling of land belonging to Egra Sarada Shashi Bhusan College being Plot No. 434, 435, J.L. No. – 27, Mouza – Jagannathpur, 574, 244, J.L. No. 26, Mouza – Aklabad, Dist. – Purba Medinipur.
3. Learned counsel for the petitioner submits that the petitioner is a retired Principal, who has superannuated from the post on 31st January, 2025.

After his superannuation, an FIR has been initiated against the petitioner and others on the allegation that when he was the Principal of the College, he has executed a sale deed with respect of the aforesaid rendered property and the police has initiated an FIR and investigation is pending. During pendency of the investigation, Sub-Divisional Officer has issued the instant notice. It is the further case of the petitioner that by an order dated 22nd May, 2026, the governing bodies of the government aided college have been terminated and the SDO has been appointed as administrator of the said government aided college. He submits that the administrator has no power to enquire into any such proceedings which is pending before the police authority for investigation.

4. Learned counsel appearing for the respondent authority submits that the Sub-Divisional Officer, being an administrative officer as well as the administrator of the college, has received an information with regard to the alleged sale deed of the aforesaid rendered property and only to enquire into the matter, has issued the notice to the petitioner along with other persons to appear before the authority to enquire into the validity of the transaction of the said sale deed.
5. This Court fails to appreciate that once an FIR has been initiated against the petitioner, police are

investigating in the matter and the Sub-Divisional Officer is only an administrator appointed by the Government only after the termination of the governing body of the government aided college.

6. Accordingly, the hearing notice dated 26th August, 2026 is stayed till 16th September, 2026 or until further order, whichever is earlier.
7. List the matter on 15th September, 2026 within ten matters for production of documents of the proceedings on the basis of which the Sub-Divisional Officer has issued the proceeding in which the hearing notice has been issued.
8. Learned counsel for the petitioner is given liberty to communicate the gist of the order to the SDO and the SDO shall act in accordance with communication of the learned advocate for the petitioner.

(Krishna Rao, J.)