

12.11.2024
Court No. 18
Item No. 86
(Suvendu)

WPA 26661 of 2024

Mukesh Kumar
-Versus-
Union of India & Ors.

Mr. Dyutiman Banerjee
Mr. Vishal Mallick
.....for the petitioner

Mr. Asok Kumar Chakraborti, Ld. ASG
Ms. Susmita Saha Dutta
.....for the UOI

Affidavit of service filed on behalf of the
petitioner is taken on record.

By presenting this writ petition, vires of
Rules 7 and 8 of the Life Insurance Corporation
of India Development Officers (Revision of
Certain Terms and Conditions of Service) Rules,
2009 and 2016 has been questioned and at the
same time notice dated 7th October, 2024 issued
by the Senior Divisional Manager, Kharagpur
Divisional Office which is at pages 64 and 65 of
the writ petition is also put under challenge.

In support of the case made out in the writ
petition, reliance is placed on an order dated 5th
February, 2024 passed by a Coordinate Bench
on a writ petition being WPA 1947 of 2024

(Sujay Kar Vs. Union of Indian and Ors.).
 Petitioner prays for similar relief as granted by
 the Coordinate Bench vide order dated 5th
 February, 2024.

In spite of service of notice, Life Insurance
 Corporation of India being respondent nos. 2 to
 4 are not represented.

However, Union of India is represented by
 learned Additional Solicitor General who has
 submitted that since vires of Rules is questioned
 by presenting this petition office of the learned
 Attorney General needs to be served. However,
 it is also submitted that in other matters orders
 have been passed by Coordinate Benches
 protecting right of those petitioners in
 connection with initiation of proceeding against
 them.

Having considered respective submissions
 made on behalf of the parties, at this stage
 Court restrains respondent nos. 2, 3 and 4 to
 pass final order in connection with the
 proceeding initiated against the petitioner for a
 period of four weeks or until further order,
 whichever is earlier.

List the matter under the heading “Motion”
 before the Regular Bench on 20th November,

2024 subject to convenience of the Bench for further consideration.

Learned advocate representing the petitioner is directed to serve notice enclosing copy of this order and the writ petition upon the office of learned Attorney General of India and file affidavit of service on the next date.

Petitioner is also directed to serve further notice enclosing copy of this order upon respondent nos. 2 to 4 or the learned advocates representing those respondents by 18th November, 2024.

(Saugata Bhattacharyya, J.)