

09.04.2026
(D/L 05)
Ct. No.7
(SKB)

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION**

**MAT 26 of 2026
With
CAN 1 of 2026**

Biplab Das
Versus
Union of India and others

Dr. Arjun Chowdhury,
Ms. Sunayana Parveen,
Mr. Mantu Mondal

... for the appellant.

Mr. Sudipto Kumar Mazumder, Id. DSGI,
Mr. Tridib Saha,
Mr. Sourab Kar

... for the U.O.I.

1. The short issue arising for consideration in this case is whether having regard to the decision of the Apex Court in the case of **L. Chadra Kumar Vs. Union of India and others** reported in **AIR 1997 SC 1125**, the provisions of the Administrative Tribunals' Act and the relevant constitutional provisions, the resort to discretionary and extra ordinary remedy under Article 226 in respect of the service dispute is to be permitted; or the writ petitioner/applicant is required to avail his remedies before the Central Administrative Tribunal.
2. The learned DSGI submits that the issue is no longer *res integra*, having decided by a co-

ordinate Bench of this court in the case of ***Union of India and others Vs. Sajal Roy (MAT 53 of 2022)***.

3. The learned advocate for the appellant/applicant seeks an *opportunity* to go through the judgment and make submissions on the next day.
4. List this matter under the same heading on **13th April, 2026**.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)