

**IN THE HIGH COURT AT CALCUTTA**  
**CONSTITUTIONAL WRIT JURISDICTION**

(Appellate Side)

**WPA(P) 142 of 2021**

SusmitaSaha Dutta

Vs.

The Union of India and Ors.

with

**WPA(P) 143 of 2021**

Anindya Sundar Das

Vs.

Union of India and Ors.

with

**WPA(P) 144 of 2021**

Priyanka Tibrewal

Vs.

The State of West Bengal and Ors.

with

**WPA(P) 145 of 2021**

Pradipta Arjun

Vs.

Union of India and Ors.

with

**WPA(P) 146 of 2021**

Smt. Aparajita Mitra

Vs.

The Union of India and Ors.

with

**WPA(P) 147 of 2021**

KuntalMojumder

Vs.

Union of India and Ors.

With

**WPA(P) 148 of 2021**

Susheel Kumar Pandey

Vs.

State of West Bengal and Ors.

with

**WPA(P) 149 of 2021**

Marufa Bibi and Ors.

Vs.

State of West Bengal and Ors.

with

**WPA(P) 167 of 2021**

Kashinath Biswas

Vs.

Union of India and Ors.

**Present:**

Mr. Rabi Sankar Chattopadhyay,

M/s. Uday Sankar Chattopadhyay and Santanu Maji, Advocates

..for the Petitioner(s) in WPA(P) 143 of 2021  
and WPA(P) 167 of 2021

Mr. Y.J. Dastoor, Additional Solicitor General with

Mr. Phiroze Edulji, Mr. Bhaskar Prosad Banerjee,

Mr. Arijit Majumdar, Ms. Anamika Pandey

and Ms. Amrita Pandey, Advocates

..for the Union of India.

M/s Sidhant Kumar, Manyaa Chandok,

Suvrodal Choudhury and Dipayan Chaudhury, Advocates

..for the ECI.

**Coram: THE HON'BLE JUSTICE RAJESH BINDAL,  
CHIEF JUSTICE (ACTING)**

**THE HON'BLE JUSTICE I.P. MUKERJI**

**THE HON'BLE JUSTICE HARISH TANDON  
(Through VC)**

**THE HON'BLE JUSTICE SOUMEN SEN**

**THE HON'BLE JUSTICE SUBRATA TALUKDAR**

## ORDER

1. Vide order passed by this Court on August 19, 2021, in Para No. 82(ii) we had directed to constitute a Special Investigation Team (for short, 'SIT') to monitor the investigation of specific categories of cases. The working of the team was directed to be monitored by a retired Hon'ble Supreme Court Judge. On account of immediate non-availability of a retired Hon'ble Supreme Court Judge to take up the assignment, we deem it appropriate to modify the aforesaid part of the order. While adding that the working of the SIT is to be monitored by a retired Chief Justice of a High Court.

2. Further we had requested Hon'ble Ms. Justice Manjula Chellur, retired Chief Justice of this Court to take up the assignment. She has very graciously accepted our request. We accordingly appoint her to overview the working of SIT.

3. As an interim measure the State Government shall pay a sum of ₹10 lakhs to her for the assignment. In addition to that she will be entitled to travel from her place of stay to any place in connection to the work assigned and stay, which is befitting to a Chief Justice. It shall be the duty of the Chief Secretary of the State of West Bengal to ensure that all arrangements for her travel and stay are made and protocol facilities are extended to her.

4. There is a small correction in paragraph 158 of the judgment. The word 'all' should be added in between the words 'at' and 'costs' in the last sentence of the said paragraph. After correction, the said sentence shall read as follows:

*“The institutional independence of the agencies should be of paramount consideration and should be maintained throughout at all costs.”*

**Rajesh Bindal, C.J.(A)**

**I.P. Mukerji, J.**

**Harish Tandon, J.**

**Soumen Sen, J.**

**Subrata Talukdar, J.**

KOLKATA  
September 03, 2021