

**State of West Bengal**

**Vs.**

**Sandip Prasad & Ors.**

**With**

**Keya Kapri & Ors.**

**Vs.**

**Sandeep Prasad & Ors.**

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**Mr. S. N. Mookherji, Ld. Adv. Gen.,**

**Mr. Anirban Ray, Ld. G.P.,**

**Mr. Bhaskar Vaisya,**

**Mr. Samrat Sen,**

**Mr. Saaqib Siddiqui,**

**Mr. Joydeep Banerjee,**

**Mr. Aviroop Mitra,**

**Mr. Ayan Chakraborty,**

**Ms. Shalini Mukherjee.**

**... for the State.**

**Mr. Sudipta Dasgupta,**

**Mr. Arkadeb Biswas,**

**Ms. Dipa Acharyya,**

**Mr. Arka Nandi.**

**... for the writ petitioners /  
respondents.**

**Mr. Santanu Kumar Mitra.**

**... for the WBBSE.**

**Mr. Saktinath Mukherjee,**

**Mr. Subhankar Nag,**

**Mr. J. Mukherjee.**

**... for the parties.**

**Mr. Subir Sanyal,**

**Mr. Somesh Ghosh.**

**... for the parties.**

The aforesaid two appeals originated from a common order dated 9<sup>th</sup> February, 2022; wherein a series of directions were passed not only on the Committee constituted by the Division Bench for conducting an enquiry but also to stop the salary of the candidates who were appointed pursuant to the recruitment process initiated in the year 2016.

The Division Bench in an earlier appeal set aside the order of the Single Bench when the identical direction was passed stopping the salary of the candidates and directed the enquiry to be conducted

and the report to be submitted in order to unearth the truth and the illegalities committed by the authorities who are in the helm of affairs. The Division Bench further directed that further orders are required to be passed on the basis of the report to be submitted by the committee so constituted for such purposes.

The impugned order would discern the re-imposition of the order, which was interfered by the Division Bench and, therefore, we find that prima facie case has been made out for interim order.

Accordingly, there shall be a stay of operation of the impugned order dated 9<sup>th</sup> February, 2022 for a period of one week from date or until further order/orders of this Court, whichever is earlier.

Let this matter be listed on 21<sup>st</sup> February, 2022 to be taken up at the first sitting of the Court.

The appellants are directed to communicate this order to the non-appearing respondents.

Let Photostat Plain Copy of this order duly countersigned by the Assistant Court Officer be given to the parties.

**(Harish Tandon, J.)**

**(Rabindranath Samanta, J.)**

