

18.05.2022  
SL No. 8  
Court No. 17  
(P.M)

**In The High Court At Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side**

**WPA No. 18585 of 2021  
Luxmi Tunga & Ors.  
Vs  
The State of West Bengal & Ors.**

Mr. Firdous Samim,  
Ms. Gopa Biswas,  
Ms. Mousumi Hazra  
... for the petitioner.

Dr. Sutanu Kr. Patra,  
Ms. Supriya Dubey  
... for SSC

Ms. Koyeli Bhattacharyya  
... for WBBSE

Mr. Sanjib Das  
... for added respondent No. 15

Mr. Supriyo Chattopadhyay  
... for the State

Mr. Dipayan Kundu  
... for added respondent No. 11

I am told by the learned advocate of the petitioner and other learned advocate Mr. Sudipta Dasgupta appearing in some of the similar matters that the order of CBI enquiry directed by this Court has been affirmed by the Division Bench. Thus there is no impediment now for investigation by CBI in the subject matter of this matter. Therefore, I direct (1) Mr. Pranab Kumar Bandopadhyay presently O.S.D. Minister-in-Charge, Parliamentary Affairs,

(2) Mr. Tapas Panja, Senior Law Officer in the Education Department, (3) Mr. Alok Kumar Sarkar who was the Deputy Director, School Education (G.A.), West Bengal and (4) Mr. Sukanta Acharya, Joint Secretary and Private Secretary of the Minister-in-Charge, to attend C.B.I. Office today by 4 P.M. and C.B.I. will start interrogating them from today itself and C.B.I. will file a short report tomorrow at 2 P.M. as to the progress of the matter.

On the last occasion, I also directed to interrogate Mr. Santi Prasad Sinha, who will also attend the C.B.I. Office today by 4 P.M.

The C.B.I. will start interrogating him in all manner possible for bringing out the truth. All the above mentioned persons, excluding Mr. Santi Prasad Sinha, will file their affidavit of assets before this Court on Friday i.e. on 20.05.2022 at 1.00 p.m. The C.B.I. is to follow the order passed by this Court on 5<sup>th</sup> April, 2022 to start the matter from the point they stopped because of the order of stay passed by this Court. C.B.I. will get the direction given to it by this court, in this respect including questioning the 98 persons whose salaries were stopped by this Court, from my order dated 05.04.2022. If necessary and if Mr. Santi Prasad Sinha does not cooperate with

C.B.I., C.B.I. shall have the liberty to interrogate him by taking him in custody.

In this matter and in other matters of similar nature as to giving appointment in the post of Group – C and Group – D employees the name of the then Education Minister Mr. Partha Chatterjee has come to light.

I also direct said Mr. Partha Chatterjee to attend the C.B.I. office today by 6 P.M. and C.B.I. is directed to start interrogating him and if he does not cooperate in the interrogation, C.B.I. shall have liberty to take him in custody.

I strongly feel that without custodial interrogation the truth will never come out in respect of this appointment scam though whether the persons will be taken into the custody or not is solely the discretion of C.B.I. and shall remain so.

Here I repeat one expectation of mine which in my view will make the system cleaner and also re-set a moral standard followed in parliamentary democracy and was also followed in our country and also we would see a better tomorrow and we all shall have a principled approach towards our life if the then Education Minister Mr. Partha Chatterjee steps down from the cabinet or removed from the cabinet. Therefore, I expect that, though it is not my order or

observation or direction but only an expectation for the better tomorrow that the then Education Minister who is now in-charge of other departments will step down or he will be removed from the esteemed position of minister. I will request the Chief Minister and also the Governor of the State to see whether citizens of India including the petitioners before this Court have a right to get a principled approach from the Government and a cleaner environment of society and polity.

I direct the petitioner to convey the gist of the order immediately to C.B.I. and I also direct the C.B.I. to issue notice to the five persons and the present Minister Mr. Partha Chatterjee immediately.

Place this matter tomorrow (19.05.2022) at 1.00 p.m. for further hearing.

Prayer for stay of operation of the order made by Mr. Dipayan Kundu, appearing for Mr. Santi Prasad Sinha and Mr. Supriyo Chattopadhyay appearing for the State and Mr. Sanjib Das appearing for the added respondent No. 15 is considered and rejected.

List it tomorrow. It will be taken up at 1.00 P.M.

**( Abhijit Gangopadhyay, J.)**