IN THE SUPREME COURT OF BANGLADESH
HIGH COURT DIVISION
(SPECIAL ORIGINAL JURISDICTION)

WRIT PETITION NO. 4645 OF 2025

IN THE MATTER OF:

An application under Article 102 of the Constitution of the People's Republic of Bangladesh.

AND

IN THE MATTER OF:

Rakhi Mondal

..... Petitioner

-VERSUS-

Government of the People's Republic of Bangladesh, represented by the Secretary, Ministry of Education, Bangladesh Secretariat, and another

..... Respondents

Mr. Dr. Kazi Aktar Hamid, Senior Advocate with
Mr. Samiran Mallik, Advocate

...... For the Petitioner

Mr. Md. Rashadul Hassan, D.A.G with
Ms. Nilufar Yesmin, A.A.G with
Mr. Md. Moshiur Rahman (Rahat), A.A.G with
Mr. Md. Motasin Billah Parvez, A.A.G with
Mr. Bishwanath Karmaker, A.A.G

......For the Respondents

Mr. Kazi Akhtar Hosain, Advocate with
Mr. M.A. Aziz Khan, Advocate

.........For the Respondent No.3

Present:

Mr. Justice Sashanka Shekhar Sarkar
And
Justice Urmee Rahman

Heard on 12.05.2026, 18.05.2026, 19.05.2026 and 17.06.2026
Judgment on 06.07.2026

Urmee Rahman, J:

In the instant matter a Rule Nisi was issued on an application under Article 102 of the Constitution of the People's Republic of Bangladesh in the following terms:

> *"Let a Rule Nisi be issued calling upon the respondents to show cause as to why the impugned circular contained in Memo No. 44.00.0000.000.094.27.0026.21.189 dated 02.03.2025 (Annexure-H) issued discriminatorily and arbitrarily under the signature of the respondent No. 1 suspending the petitioner from his service under Section 39(2) of the সরকারি চাকরি আইন, ২০১৮ with retrospective effect from 24.12.2017 shall not be declared to have been done without any lawful authority and is of no legal effect, and/or such other or further order or orders be passed as to this court may seem fit and proper."*

Short facts leading to the issuance of the instant Rule are that, the petitioner having been qualified in the 21st BCS (Police Cadre) was appointed as Assistant Superintendent of Police in Bangladesh Police Department on 30.04.2003. He joined on 10.05.2003 and his joining letter was accepted on 31.05.2003. Thereafter he was promoted to the post of Additional Superintendent of Police by the order dated 05.05.2015. He was transferred to various districts and lastly, he was posted as Superintendent of Police, Faridpur, where he took over charge on 06.11.2016. The petitioner had been performing his duty with utmost sincerity and to the full satisfaction of the authority. All on a sudden, by the order dated 15.10.2017 he was transferred to the TR Post (temporary reserve post) at the Police Headquarters, Dhaka. Accordingly, he joined at the TR Post on 22.10.2017.

The Anti-corruption Commission lodged Bangshal Police Station Case No. 37 dated 24.10.2017 under Sections 4(2) and 4(3) of the Money Laundering Protirodh Ain, 2012 alleging inter alia that the petitioner has accumulated huge amount of money from undisclosed source by way of corruption and opened a number of FDRs in his name as well as in the name of his wife. In that criminal case the petitioner voluntarily surrendered before the Learned Chief Metropolitan Magistrate, Dhaka along with an application for bail and the learned Magistrate after hearing the parties was pleased to enlarge the petitioner on bail by order dated 24.12.2017. Challenging the said order the prosecution filed Criminal Revision No. 16 of 2018 before the learned Metropolitan Sessions Judge, Dhaka, which was rejected by order dated 17.02.2021. The petitioner is still on bail. As many as 4 (four) investigations were held to inquire into the matter. The first Investigating Officer proposed to submit final report but the Anti-Corruption Commission without accepting the said report appointed further Investigating Officer. The 2nd Investigating Officer proposed to submit charge sheet, the 3rd Investigation Officer recommended for submitting final report and finally the 4th Investigating Officer submitted charge sheet being No. 151 dated 17.12.2023 against the petitioner and his wife under Section 4(2) and 4(3) of the Money Laundering Protirodh Ain, 2012. The Metropolitan Senior Special Judge accepted the charge sheet and took cognizance of the offence on 18.03.2024 and transmitted the case to the Metropolitan Special Judge, Court No. 8, Dhaka for trial and the case was renumbered as Special Case No. 05 of 2024. On 10.07.2024 the petitioner and his wife filed an application for discharge. The learned Judge was pleased to reject the application and accordingly framed charge by the order dated 16.07.2024. The charge was read over to them in which they pleaded not guilty. Thereafter, the petitioner and his wife filed Criminal Miscellaneous Case No. 44168 of 2024 under Section 561A of the Code of Criminal Procedure before the High Court Division for quashment of the proceedings of Special Case No. 05 of 2024. After hearing this Division was pleased to issue Rule and was further pleased to stay all further proceeding of the case for a period of 6(six) months by the order dated 20.08.2024. The order of stay, was extended from time to time, which is still in force. After obtaining the order of stay the petitioner filed an application on 05.01.2025 before the Respondent No. 2, annexing the order of stay passed by the High Court Division, and requesting for posting him at any post at the Police Headquarters. While the petitioner was waiting for response from the authority, the Respondent No. 1 vide notification dated 02.03.2025 suspended the petitioner under Section 39(2) of the সরকারি চাকরি আইন, ২০১৮ stating that, though the Criminal Case No. 37 dated 24.10.2027 under Section 4(2) and 4(3) of the Money Laundering Protirodh Ain, 2012 has been stayed by the Hon'ble High Court Division, the case has not been quashed. The Respondent No. 1 issued the order of suspension with retrospective effect from 24.12.2017 and attached the petitioner with the office of the Deputy Inspector General, Sylhet Range, Sylhet.

Being aggrieved thereby and there having no other alternative and equally efficacious remedy available, the petitioner has filed the instant writ petition and obtained the present Rule.

At the time of issuance of the Rule on 16.04.2025 an order of stay of the impugned notification dated 02.03.2025 was granted for a period of 3(three) months. Challenging the order of stay the respondents filed Civil Petition for Leave to Appeal No. 1770 of 2025. The Hon'ble Judge-in-Chamber stayed the order of stay granted by the High Court Division and sent the matter before the Full Bench. After hearing the parties, by the order dated 09.03.2026 the Full Bench of the Hon'ble Appellate Division was pleased to dispose of the Civil Petition for Leave to Appeal No. 1770 of 2025 and directed to dispose of the Rule on merit by this Division and further directed to continue the order of stay granted by the learned Judge-in-Chamber till disposal of the Rule. Now the matter has been fixed before this division for hearing.

Learned Senior Advocate Mr. Zainul Abedin, with learned Advocate Mr. Mintu Kumar Mondal, appearing on behalf of the petitioner submits that, the impugned order of suspension passed by the Respondent No. 1 is illegal, arbitrary, mala fide and discriminatory inasmuch as the respondents having full knowledge that in the criminal case the petitioner is on bail and was never arrested or sent into jail hajat, rather the proceeding of the criminal case against him was stayed by this Hon'ble Court, issued the impugned notification suspending the petitioner with retrospective effect from 24.12.2017, which is contrary to the provision of

Note-2 of Section 73 of the Bangladesh Service Rule, Part-I as well as provision of Section 39(2) of the সরকারি চাকরি আইন, ২০১৮.

Learned Advocate also submits that Section 39(2) of the Act of 2018 provides that the appointing authority may suspend any public servant from the date of arrest or sending in jail or accepting charge sheet against him. In the instant case the charge sheet was accepted on 18.03.2024 but the respondents suspended the petitioner with retrospective effect from 24.12.2017 in clear violation of Section 39(2) of the Act of 2018 and as such the impugned order of suspension is liable to be declared illegal, without lawful authority and is of no legal effect.

The next submission of the learned Advocate for the petitioner is that, in many other cases Bangladesh Police withdrew the order of suspension of its officers and employees when they obtained bail in criminal cases or departmental proceedings or when criminal cases are stayed by this Hon’ble Court, as evident from Annexure-L. There are many other similar instances of the said department. Similarly other departments and Ministries also withdrew order of suspension when the officers or employees obtained bail or their proceeding is stayed by this High Court Division. The petitioner is in better footing comparing to other officers of his own department as well as other Departments and Ministries of the Government because he was neither arrested not was sent in custody rather the proceeding against him was stayed by this Court long before issuance of the suspension order. As such the impugned order of suspension is a clear violation of the petitioner's fundamental right of equal protection as guaranteed under the Constitution.

Learned Advocate finally submits that the impugned notification was issued on 02.03.2025 suspending the petitioner giving retrospective effect from 24.12.2017 but the petitioner has been receiving regular salary and other benefits since 24.12.2017. By giving retrospective effect of suspension would create complications regarding his regular service since he was very much in service during the relevant time and has withdrawn salaries for that period. In the service law there is no such provision of giving retrospective effect of suspension due to lodging criminal case. As such the impugned order is liable to be declared illegal, without lawful authority and is of no legal effect.

Conversely, Mr. Waliul Islam Oli, the learned Deputy Attorney General appears on behalf of the respondent no. 1 and contested the Rule by filing an affidavit in opposition and a supplementary affidavit thereto and submits that, the writ petition is not maintainable as there is an alternative remedy under Administrative Tribunal in view of the case of Santosh Kumar Saha Vs. Bangladesh reported in 21 BLC (AD) 94.

He next submits that, due to the corrupt activities in the service Anti-corruption Commission filed Bangshal Police Station Case No. 37 dated 24.10.2017 against the petitioner and his wife under Sections 4(2) and (3) of the Money Laundering Protirodh Ain, 2012 and subsequently, the investigating authority submitted charge sheet in that case. The allegations against the petitioner being specific, the order of suspension was issued in view of the Provision Section 39(2) of the সরকারি চাকরি আইন, ২০১৮. This is not a punishment and a final order and therefore the instant Writ Petition is not tenable in the eye of law and is liable to be discharged.

Learned Deputy Attorney General further submits that, the petitioner was obliged by the law to inform his superior authority if there is any criminal proceeding pending against him as per Section 100 of the Police Regulation Bengal, 1943. But in the instant case the petitioner never informed the police Headquarter regarding the above pending criminal case against him. As such the authority had no knowledge about the pendency of the same until the charge was framed against him. All the material facts were suppressed by the petitioner. The Police Headquarters only came to know on 28.01.2025 from the Metropolitan Public Prosecutor and immediately they took action and issued the impugned suspension order in accordance with law. The order was said to have been effective from backdate because of the concealment of the material fact by the petitioner himself. There is no violation of law and the impugned suspension order having been issued following the provision of Section 39(2) of the সরকারি চাকরি আইন, ২০১৮, the instant Rule has no merit and therefore, is liable to be discharged.

It appears from the record that the Anti-corruption Commission was made party to this writ petition as respondent No. 3 by the order dated 25.05.2025 pursuant to an application for addition of party. This added respondent no. 3 is also contesting the Rule by filing an affidavit in opposition.

Learned Advocate Mr. Kazi Akhtar Hosain with Mr. M.A. Aziz Khan appears on behalf of the respondent no. 3 and submits that, the criminal cases, on the basis of which the impugned suspension order has been issued against the petitioner, has been filed at the instance of the Anti-corruption Commission. Thus they have interest in the matter. Learned Advocate submitted in the same voice as that of the learned Deputy Attorney General that the impugned decision taken by the authority has been done in accordance with law and therefore the Rule is liable to be discharged.

After hearing the parties this matter was posted for delivery of judgment on 18.06.2026. At the time of pronouncement of judgment, it was detected that some additional documents are required to be perused for proper adjudication of the matter. Hence the date for pronouncement of judgment was deferred. Thereafter, the petitioner produced additional documents by way of supplementary affidavit dated 28.06.2026 and the matter was again posted for delivery of judgment today.

We have heard the learned Advocates for the respective parties and perused the writ petition, supplementary affidavits thereto, the affidavit in oppositions and all the documents annexed therewith.

Regulation 100 of Police Regulations of Bengal, 1943 provides that, “All police officers against whom any criminal prosecution or civil suit is instituted shall at once inform the Superintendent or corresponding superior officer.” It has been contended by the learned Deputy Attorney General for the respondents that, since the present petitioner did not inform the authority about initiation of the criminal proceeding, no action could be taken at that time but as soon as they came to learn about it, the impugned order was issued.

It appears from the record that by the order dated 15.10.2017 (Annexure-C) the petitioner was transferred on TR Post (temporary reserve post equivalent to OSD) at the Police Headquarters though no reason was stated for issuance of such order. However, on perusal of Annexure-S to the supplementary affidavit dated 28.06.2026, which is the FIR of Bangshal Police Station Case No. 37(10) of 2017 corresponding to Metropolitan Special Case No. 288 of 2022 and Special Case No. 5 of 2024, we find that, on 14.06.2017 a permission Petition No. 64 of 2017 was made by the Anti-Corruption Commission before the Metropolitan Sessions Judge for permission to freeze the FDR accounts of the petitioner and on the basis of that petition the Court by the order dated 15.06.2017 passed an order freezing the FDR accounts of the petitioner. Pursuant to that the police case was filed before the Bangshal Police station in which it was also stated that Anti-corruption Commission gave approval to file this case by the order dated 11.09.2017 and that ACC would conduct the inquiry of this proceeding. Though nothing has been stated in the transfer order dated 15.10.2017 in TR post, the content of the FIR indicates that, as a consequence of filing of this case by the Anti-corruption Commission, the transfer was made. Therefore, it cannot be said that the concerned authority did not have knowledge about the initiation of the criminal proceeding against the petitioner.

From meticulous perusal of the documents annexed with the writ petition we find that from 2017 till 2023 there was no progress in the investigation proceeding in the Criminal case although by this time two other cases were filed by the Anti-corruption Commission against the petitioner being দুদক তদন্ত নং ০২ corresponding to G.R. No. 165 of 2023 and দুদক তদন্ত নং ৩ corresponding to G.R No. 166 of 2023. In both the cases the petitioner was enlarged on bail by the order dated 22.02.2024 upon making voluntary surrender before the Court. Although there are as many as three criminal cases pending against him, no departmental proceeding has been initiated against the petitioner till date.

In the Bangshal Police Station case no. 37 (10)2017 (subsequently renumbered as Metropolitan Special Case No. 288 of 2022 and Special Case No. 5 of 2024), the charge sheet was submitted after a long period of 7(seven) years on 17.12.2023 and the learned Metropolitan Senior Special Judge, Dhaka accepted the charge sheet of the offence on 18.03.2024 and charge was framed on 16.07.2024. The proceeding of this case was later on stayed by the High Court Division in Criminal Miscellaneous Case no. 44168 of 2024 by the order dated 20.08.2024. Thereafter the impugned order of suspension was issued on 02.03.2025 (Annexure-H) stating that the criminal case has been stayed by the High Court Division but it has not been finally quashed, therefore the petitioner is being placed on suspension as per the provision of section 39(2) of সরকারি চাকরি আইন, ২০১৮. For proper appreciation of the matter the impugned order is quoted below:

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
স্বরাষ্ট্র মন্ত্রণালয়
জননিরাপত্তা বিভাগ
পুলিশ-১ শাখা
www.mhapsd.gov.bd

নম্বর: ৪৪.০০.০০০০.০০০.০১৪.২৭.০০২৬.২১.১৮১ **তারিখ:**১৭ ফাল্গুন ১৪৩১-বঙ্গাব্দ
০২ মার্চ ২০২৫ খ্রিস্টাব্দ)

প্রজ্ঞাপন

" জনাব সুভাষ চন্দ্র সাহা (বিপি-৭৩০৩১১৬১৪০), পুলিশ হেডকোয়ার্টার্স, ঢাকা (সাবেক পুলিশ সুপার, ফরিদপুর জেলা) এর বিরুদ্ধে বংশাল থানা, ডিএমপি, ঢাকায় রুজুকৃত মামলার (মামলা নং-৩৭ তারিখ-২৪/১০/২০১৭ খ্রি., ধারা ৪(২) ও ৪(৩), মানিলন্ডারিং প্রতিরোধ আইন, ২০১২) বর্ণিত কর্মকর্তা গত ২৪/১২/২০১৭ খ্রি. বিজ্ঞ আদালত হতে জামিন গ্রহণ করেন। উক্ত মামলায় গত ১৭/১২/২০২৩ খ্রি. অভিযোগপত্র দাখিল এবং গত ১৬/৭/২০২৪ খ্রি. চার্জ গঠন করা হয়। মহামান্য সুপ্রীম কোর্ট, হাইকোর্ট বিভাগ, ঢাকা হতে স্মারক নং-৫৭৩৭০, তারিখ-২৫/৮/২০২৪ খ্রি., স্মারক নং-১১২৩৪, তারিখ-২৭/৮/২০২৪ খ্রি. এবং ফৌজদারী বিবিধ মামলা নং ৪৪১৬৮/২০২৪, তারিখ-২০/৮/২০২৪ খ্রি. মূলে গত ২০/৮/২০২৪ খ্রি. হতে পরবর্তী ০৬ (ছয়) মাসের জন্য মামলার সকল কার্যক্রম স্থগিতাদেশ প্রদান করলেও তার বিরুদ্ধে দায়েরকৃত মামলাটি (মামলা নং-৩৭ তারিখ: ২৪/১০/২০১৭ খ্রি. ধারা ৪(২) ও ৪(৩), মানিলন্ডারিং প্রতিরোধ আইন, ২০১২) বাতিল (Quash) হয়নি।

সেহেতু, জনাব সুভাষ চন্দ্র সাহা (বিপি-৭৩০৩১১৬১৪০)-কে সরকারি চাকরি আইন, ২০১৮ (২০১৮ সালের ৫৭ নং আইন) এর ৩৯ (২) ধারার বিধান অনুযায়ী ২৪/১২/২০১৭ তারিখ থেকে সরকারি চাকরি হতে সাময়িক বরখাস্ত করা হলো;

সাময়িক বরখাস্তকালীন তিনি সিলেট রেঞ্জ ডিআইজি'র কার্যালয়ে সংযুক্ত থাকবেন এবং বিধি অনুযায়ী খোরপোষ ভাতা প্রাপ্ত হবেন;

জনস্বার্থে এ আদেশ জারি করা হলো।

রাষ্ট্রপতির আদেশক্রমে,

নাসিমুল গনি
সিনিয়র সচিব”

In this context, the provision of section 39 of the Public Service Act, 2018 is required to be examined, which provides as follows:

> *“৩৯। সাময়িক বরখাস্ত।–(১) কোনো কর্মচারীর বিরুদ্ধে বিভাগীয় কার্য ধারা গ্রহণের প্রস্তাব বা বিভাগীয় কার্যধারা রুজু করা হইলে, সরকার বা নিয়োগকারী কর্তৃপক্ষ অভিযোগের মাত্রা ও প্রকৃতি, অভিযুক্ত কর্মচারীকে তাহার দায়িত্ব হইতে বিরত রাখিবার আবশ্যকতা, তৎকর্তৃক তদন্ত কার্যে প্রভাব বিস্তারের আশঙ্কা, ইত্যাদি বিবেচনা করিয়া তাহাকে সাময়িক বরখাস্ত করিতে পারিবেঃ*
>
> *তবে শর্ত থাকে যে, সরকার বা নিয়োগকারী কর্তৃপক্ষ অধিকতর সমীচীন মনে করিলে, এইরূপ কর্মচারীকে সাময়িক বরখাস্ত করিবার পরিবর্তে, লিখিত আদেশ দ্বারা, তাহার ছুটি প্রাপ্যতা সাপেক্ষে, উক্ত আদেশে উল্লিখিত তারিখ হইতে ছুটিতে গমনের নির্দেশ প্রদান করিতে পারিবে।”*
>
> *(২) কোনো কর্মচারী দেনার দায়ে কারাগারে আটক থাকিলে, অথবা কোনো ফৌজদারি মামলায় গ্রেফতার হইলে বা <u>তাহার বিরুদ্ধে অভিযোগপত্র গৃহীত হইলে, সরকার বা নিয়োগকারী কর্তৃপক্ষ উক্তরূপ আটক, গ্রেফতার বা অভিযোগপত্র গ্রহণের দিন হইতে তাহাকে সাময়িক বরখাস্ত করিতে পারিবে।”</u>*

While Section 39(1) is regarding suspension during pendency of a departmental proceeding, Section 39(2) is applicable without initiating any departmental proceeding. This provision is clear enough which provides that, if any government employee remains in custody, arrested in criminal proceeding, or any charge sheet is accepted against him, then the authority can suspend him from the date of arrest or date of acceptance of the charge sheet. In the instant case admittedly the charge sheet was accepted by the concerned Court on 18.03.2024; however, by the impugned order the suspension has been said to be effective from 24.12.2017. This is the date on which the petitioner was enlarged on bail as appears from Annexure S-1 to the supplementary affidavit.

Now, the moot question that falls for determination is whether the suspension order issued under Section 39(2) of the 2018 Act has been made in accordance with law.

The law as provided in Section 39(2) of the Public Service Act, 2018 applies in a case where no departmental proceeding is pending against an employee. The impugned order issued by the respondent under this particular Section also proves that no departmental proceeding is pending against the petitioner. Had there been a departmental proceeding pending, the authority would have the lawful authority to suspend him under Section 39(1) of the Act of 2018. Furthermore, the provision of Section 39(2) is very much clear in that the authority has right to suspend a delinquent employee in case a charge sheet is accepted by competent Court of law. In the present case the charge sheet was evidently accepted on 18.03.2024 but the suspension order has been said to be effective from a long back date of 24.12.2017. The law does not authorise the respondents to make the suspension order in this manner. There is no scope to suspend an employee giving effect from an earlier date as per the provision of 39(2) of the Act of 2018. Hence we find that, the impugned order suspending the petitioner with retrospective effect from a back date of as many as 7 (seven) years ago, which is not the date of acceptance of the charge sheet, has been issued in clear violation of the express provision of law.

We have seen from the documents on record that, after the charge was framed, the petitioner filed an application under section 561A of the Code of Criminal Procedure before the High Court Division in Criminal Miscellaneous Case No. 44168 of 2024 and this Division was pleased to stay all further proceeding of the Special Case No. 05 of 2024 arising out of Metropolitan Special Case No. 288 of 2022 by the order dated 20.08.2024 (Annexure-F). After receiving the certified copy of the order, the petitioner on 05.01.2025 made an application before the Inspector General Bangladesh Police, Police Headquarters informing about the order of stay of the proceeding passed by the High Court Division and also prayed that since he has been remained in the TR post for the last 8(eight) years, he may be given regular posting (Annexure-G). The respondent No. 1 though have the knowledge of the order of stay passed by the High Court Division yet proceeded to suspend the petitioner referring to the provision of Section 39(2) of the Act, 2018.

At this juncture we feel it is necessary to discuss what is suspension and when an employee is placed under suspension. Suspension in service law jurisprudence is a temporary cessation of an employee's duties, not a punishment itself. It is an interim administrative measure taken by the employer to facilitate an inquiry into alleged misconduct or pending criminal proceedings. Its primary purpose is to prevent the employee from influencing an ongoing investigation, tampering with evidence, or continuing the alleged misconduct, thereby ensuring the smooth and fair conduct of disciplinary or criminal proceedings. The Government Service (Discipline and Appeal) Rules of 2018 though authorizes suspension pending disciplinary proceeding, it does not prescribe any time period after which the suspension will lapse. However, suspension cannot be continued for indefinite period of time and it has to be given for a reasonable period of time, which is necessary for the purpose for which it was imposed. Suspension for a prolonged and unreasonable period of time makes it punitive and arbitrary, violating principle of natural justice. Although framing of charge by a competent court of law may be a statutory ground for suspension, the competent authority is nevertheless required to exercise power reasonably and in furtherance of the object for which it has been created.

In the instant case the criminal proceeding had already been stayed by the High Court Division before the impugned order was issued by the Respondent No. 1. When the authority came to know about the order of stay of the concerned proceedings by the High Court Division, it ought to have stopped taking any action under Section 39(2). Where the criminal proceeding itself stayed by the High Court Division and the employer did not initiate any departmental proceeding, there is no ongoing process which the suspension could meaningfully serve. The impugned order is therefore manifestly arbitrary in nature. Although a suspension order imposed by the competent authority is not generally interfered with, but in order to ensure fairness and to prevent indefinite suspension, judicial intervention is required for ensuring rule of law. The explanation given by the respondents in the impugned order is absolutely misconceived and without any lawful basis. The authority was under an obligation to give due effect to the order of stay passed by this court, which they totally failed to do.

In view of the facts and circumstances discussed hereinabove we find substance in the Rule. The contention made by the learned Deputy Attorney General as to the maintainability of the writ petition is found to be devoid of any substance.

In the result, the Rule is made absolute.

The impugned order dated 02.03.2025 placing the petitioner on suspension (Annexure-H), is hereby declared without any lawful effect and accordingly set aside.

However, there is no order as to costs.

Let a copy of this judgment and order be communicated to the concerned authorities at once.

Justice Sashanka Shekhar Sarkar, J:

I agree.

Farida B.O