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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/2025/2022

SUVENDU ADHIKARI AND ORS.
VERSUS

THE HON'BLE SPEAKER WEST BENGAL LEGISLATIVE ASSEMBLY AND ORS.

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : 25th April, 2022

Appearance:

Mr. Jaydip Kar, Sr. Adv.
Mr. Billwadal Bhattacharyya, Adv.
MR. Rajdeep Majumder, Adv.
Mr. Lokhnath Chatterjee, Adv.
Mr. Sayak Chakraborty, Adv.
Mr. S. Das, Adv.
Mr. Asish Kumar Mukherjee, Adv.
Mr. Amrit Sinha, Adv.
Mr. Sorojit Saha, Adv.
Mr. W. Ray, Adv.
... for the petitioner.

Mr. S. N. Mookerjee, Sr. Adv.
Mr. T. M. Siddiqui, Adv.
Mr. Dilip Kumar Ghosh, Adv.
... for the respondent.

The Court :- The petitioners are members of the Legislative Assembly and the principal opposition party in the State of West Bengal. The first petitioner is the Leader of the Opposition.

By a motion of the House dated 28th March, 2022 forwarded by communication dated 31st March, 2022 issued by the Secretary, West Bengal Legislative Assembly, the petitioners and each of them have been suspended for the remaining period of the session. It has been specified that the expression 'Session' would mean the entire period of the Assembly until it is prorogued by orders of the Governor.

It is, inter alia, submitted by Mr. Kar, Senior Advocate appearing for the petitioners that apart from the illegality of the order, which is contrary to the “Rules and Procedure for Conduct of Business in the West Bengal Legislative Assembly”, the same is excessive and disproportionate to the misconduct found against the petitioners.

Learned Advocate General, Mr. Mookerjee, seeks time to file affidavit-in-opposition to bring on record certain facts.

Let affidavit-in-opposition be filed on or before 2nd May, 2022; reply, if any, by 4th May, 2022.

Let this matter stand adjourned and be listed as ‘Specially Fixed Matter’ on 5th May, 2022 at 10.30 a.m.

(RAJASEKHAR MANTHA, J.)