

ITEM NO.45

COURT NO.7

SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No. 28496/2025

[Arising out of impugned final judgment and order dated 04-09-2025
in FMA No. 241/2025 passed by the High Court at Calcutta]

MD. SOHEL HASSAN

Petitioner(s)

VERSUS

MUKUL NANDI & ORS.

Respondent(s)

(IA No. 153839/2026 - CONDONATION OF DELAY IN FILING AND IA No.
255994/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 16-10-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

For Petitioner(s)

Mr. S. Nagamuthu, Sr. Adv.
Mr. Sandeep Jindal- 2181, AOR
Ms. Sonam Gupta, Adv.
Ms. Akansha Bharti, Adv.
Ms. Ritvika Poswal, Adv.
Mr. Saumay Kapoor, Adv.
Mr. Shiva Pande, Adv.
Mr. Pramod Kumar Goel, Adv.

For Respondent(s)

Mr. Rana Mukherjee, Sr. Adv.
Mr. Tavish B. Prasad, Adv.
Ms. Sayani Bhattacharya- 3971, AOR
Ms. Sneha Ahmed, Adv.

Mr. Nishant Awana- 4068, AOR
Mr. Suraj Kundu, Adv.
Mr. Bhavesh Yadav, Adv.
Mr. Amogh Pandey, Adv.

Mr. Anando Mukherjee- 2500, AOR

Ms. Sanjana Saddy- 3231, AOR

Mr. Kunal Chatterji, AOR
Ms. Maitrayee Banerjee, Adv.
Mr. Rohit Bansal, Adv.

Mr. Varij Nayan Mishra, Adv.

UPON hearing the counsel, the Court made the following
O R D E R

The matter requires to be heard insofar as the High Court's direction to initiate criminal prosecution against the petitioner in 17 cases is concerned. However, we find from the observations made by the Division Bench that the West Bengal State Electricity Distribution Company Limited itself wanted to initiate disciplinary proceedings against the petitioner, independent of the direction of the learned Judge in that regard.

That being so, the employer cannot be interdicted from taking steps to initiate disciplinary proceeding against the petitioner in accordance with the relevant regulations.

To that extent, the stay order dated 14.10.2025 granted by this Court shall stand vacated and shall continue to operate only in the context of initiation of criminal proceedings.

Needless to state, the disciplinary authorities shall not be influenced by any observations made either by the learned Judge or by the Division Bench but would be at liberty to place reliance on the material collected and collated pursuant to the said orders.

Re-list on 26.02.2027 with the understanding that the matter will be taken up after completion of the hearing in all the other matters.

(BABITA PANDEY)
AR-CUM-PS

(PREETI SAXENA)
COURT MASTER (NSH)