

12th September,
2019

**Calcutta High Court
In the Circuit Bench At Jalpaiguri**

W.P.A. 466 of 2019

(7)
(AK)

Mobarak Hossain
-vs-
The State of West Bengal & Ors.

Ms. Suman Sehanabis (Mandal)

..... For the Petitioner.

Mr. Debabrata Dhar
Mr. Mominur Rahaman

.....For the State.

The petitioner is engaged in the post of 'Sahayak' of Nakkatigachh Gram Panchayat under Tufangunj-I Development Block and has been working in such post from 29th August, 2011.

Learned Counsel for the petitioner places the engagement letter dated 29th August, 2011 from the Pradhan of Nakkatigachh Gram Panchayat, by which the petitioner was appointed to such post. Counsel submits that the petitioner made several representations to various authorities from 2nd February, 2018 to 19th march, 2018 but none of the representations have been considered by the authorities. Counsel also refers to a letter from the office of the Executive Assistant of Nakkatigachh Gram Panchayat, enclosing documents of casual workers of Tufangunj-I Panchayat Samity to the Block Development Officer, Tufangunj-I Development Block

and the District Panchayat and Rural Development Officer, Cooch Behar, which shows that the petitioner's prayer for being regularized has been considered.

The learned Government Pleader submits that although there is no difficulty in considering the representations of the petitioner but there are certain conditions which have to be fulfilled for being regularized and moreover there is no post in the concerned position.

Having heard learned Counsel for the parties, this Court is of the view that the respondent no.1, being the Principal Secretary, Department of Panchayat and Rural Development, Government of West Bengal, should be directed to consider the representation of the petitioner dated 19th march, 2018 and pass a reasoned order on the same upon hearing all concerned parties within four weeks from date and a copy of such decision should be given to the petitioner within a week from the date of passing such order.

W.P.A. 466 of 2019 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)