

08.02.2021.  
Item no. 33.  
Court No.13  
ap

**W.P.A. No. 1634 of 2021  
(Through Video Conference)**

**Ananda Ram Koley  
Versus  
The State of West Bengal & Ors.**

Mr. Arup Kumar Lahiri.

...For the petitioner.

Mr. Swapan Kumar Datta, Id. A.G.P.

Mr. Tapas Kumar Dey.

...For the State.

Mr. Anjan Banerjee.

...For the respondent no.3.

Ms. Koyeli Bhattacharyya.

...For the respondent nos.4 & 5.

The writ petitioner challenges the gradation list of seniority published on 16<sup>th</sup> March, 2020. Against the draft gradation list circulated on 2<sup>nd</sup> February, 2019, the petitioner claims to have made a representation as regards his position thereat.

The representations are dated 20<sup>th</sup> February, 2019 and 1<sup>st</sup> February, 2020.

The writ petitioner's gradation was not altered or changed despite representations in the final gradation list referred to hereinabove.

It is presumed that the representations made already have been considered. No formal order has however been communicated to the petitioner.

Counsel for the respondent nos.3, 4 and 5 submit that the petitioner's claims are baseless.

In the above circumstances, this Court directs the District Judge, Howrah to communicate to the petitioner any reasoned order that may have been passed against his representations above.

If no order has been passed, let a formal order be passed by the District Judge, Howrah after giving a personal hearing to the writ petitioner and after receiving representations in writing in this regard from the respondent nos.3, 4 and 5 respectively.

The District Judge, Howrah shall consider and dispose of, representation as indicated above, within a period of two months from the date of communication of a copy of this order.

The order that may be passed by the District Judge, Howrah will be communicated to the writ petitioner as well as the respondent nos.3, 4 and 5 within seven days thereof.

It is made clear that this Court has not gone into any of the merits of the claims of the petitioner or the contentions of the respondent nos.3, 4 and 5.

With the aforesaid directions, the instant writ application shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

**(Rajasekhar Mantha, J.)**

