

Court No. 24

24.02.2021

(Item No. 7)

(AB)

W.P.A 4867 of 2021

Raj Kumar Mandal

vs

The State of West Bengal & Ors.

Mr. Biswarup Bhattacharya

Mr. Rajesh Kumar Shah

...for the Petitioners

Mr. Swapan Kumar Dutta

Mr. Dipankar Das Gupta

.... For the State

Mr. Dilip Kumar Sinha

..... For respondent Nos. 4, 5 & 6

The petitioner seeks a direction upon the Panskura Municipality to conclude the recruitment process for appointment of “Mazdoor” which was initiated pursuant to the recruitment notification vide memo No. PM/ESTT/03/2016/443 dated 16th August, 2016. The petitioner participated in the aforesaid recruitment process.

It has been submitted that the recruitment process was stalled due to orders passed by this Court in writ petition being W.P. No. 5217 (W) of 2017, W.P. No. 5219 (W) of 2017 and W.P. No. 5221 (W) of 2017. The aforesaid writ petitions were ultimately dismissed by the Court by order dated 13th July, 2018 as “not pressed”.

After the dismissal of the aforesaid writ petitions the recruitment process revived. The petitioner presently prays for conclusion of the said process.

The learned advocate representing the Panskura Municipality submits, upon instructions, that after dismissal of the aforesaid writ petitions necessary permission was solicited from the Director of Local Bodies by a memo No. PM/ESTT/03/2016/1967 dated 4th December, 2018 for taking up the next process towards selection of the said posts. The Director of Local Bodies was pleased to accord permission to complete the recruitment process vide memo No. 361/DLB/B-413/15-2002 (pt) dated 7th March, 2019.

In pursuance of the permission granted by the Director of Local Bodies, the next process was taken up. A meeting of the selection committee was held on 14th June, 2019 and in presence of the members of the selection committee decoding of the answer sheets was done from the end of the Deputy Director, Burdwan Division.

Call letters were sent to the candidates but due to unavoidable circumstances the interview was postponed and the candidates were well informed by way of publication in the newspaper “Pratidin” on 5th December, 2019. The interview could not be held later on in view of the pandemic.

A decision was taken by the Board of Councillors in its meeting held on 16th October, 2020 to seek permission from the Director of Local Bodies

to resume the process of interview for recruitment vide office memo No. PM/ESTT/03/2016/1581 dated 6th November, 2020 and as desired by the Director of Local Bodies further documents were sent vide office memo No. PM/ESTT/03/2020/1865 dated 19th December, 2020.

The Municipality is willing to conclude the recruitment process after receiving necessary permission to resume the process from the department of Urban Development & Municipal Affairs.

From the above it appears that presently permission has been sought for from the Department of Urban Development and Municipal Affairs for completion of the recruitment process. The same is awaiting.

In view of the above, the instant writ petition is disposed of by directing the respondent No. 2, being the Joint Secretary, Department of Urban Development and Municipal Affairs to take a decision with regard to the permission sought for by the Municipality for concluding the recruitment process which was initiated in the year 2016. The aforesaid respondent shall take a decision in the matter at the earliest, but positively within a period of six weeks from the date of communication of a copy of this order.

The said respondent shall pass a reasoned order and communicate the same to all the necessary parties, including the petitioner, immediately thereafter.

Accordingly, the writ petition is disposed of.

The instructions given by the Chairman of the Panskura Municipality to the learned advocate is retained with the records.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)