

01.03.2021
Srimanta
Sl. No. 29
Ct. No. 13

WPA/3790/2020
[Via Video Conference]

Sanjit Kumar Maji
-Vs.-
Eastern Coalfields Ltd. & Ors.

Mr. Rabindranath Bag, Adv.,
Mr. Rohan Raj, Adv.

...for the petitioner.

Mr. Manik Das, Adv.

...for the respondent nos. 1 to 4.

Affidavit-of-service filed in Court today be kept
with the record.

The petitioner claims that he promoted to the
post of Senior Draftsman (Civil) prior to 2013. The
petitioner was proceeded against departmentally by
the employer/E.C.L. and was exonerated in the year
2019.

The petitioner claims that in the meantime he
has enhanced his qualifications with the Diploma for
Civil Engineering.

He further claims that pursuant to his Diploma
in Civil Engineering, he was asked to work in the post
of Engineering Assistant (Civil). He, therefore, claims
regularization in the post of Engineering Assistant
(Civil) and also claims subsequent promotions which
he did not get for pending of departmental
proceedings.

The petitioner has made a representation to the
General Manager (P & IR), E.C.L. on 17th July, 2017

and a further representation was made on his behalf by the Union on 17th January, 2020.

Counsel for the E.C.L. submits that the petitioner was not allowed to function or given the post of Engineering Assistant (Civil) as claimed.

However, this Court is of the view that the matter should be dealt with by the appropriate authority of the E.C.L. first. In those circumstances, the Director (Personnel) of E.C.L. and/or his designate, shall look into the petitioner's grievances, *inter alia*, contained in his representation referred to hereinabove as also the writ petition and pass a suitable order, preferably within a period of three months from the date of communication of a copy of this order. Reasoned order may be passed and the same may be communicated to the petitioner within seven days.

With the aforesaid direction, **WPA 3790 of 2020** is disposed of.

Since no affidavit has been used by the respondents, the allegations contained in the writ application are deemed to have been denied.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Rajasekhar Mantha, J.)