

10.02.2021

Ct. No.13

Sl. No.12

akd

W.P.A. 4393 of 2020 [via video conference]

[Kartik Dasmohori -Vs- The State of West Bengal & Ors.]

Mr. Anindya Bose

Mr. Vivekananda Bauri

Mr. Diptendu Mondal

... .. for the petitioner

Mr. S. S. Koley

... for the WBSETCL

Mr. Sudipto Panda

Ms. Munmun Tewary

... for the State

Learned counsel for the WBSETCL has taken instructions pursuant to the order dated 5th February, 2021. He submits that the offer of employment of the WBSETCL to the writ petitioner is still alive.

Given the fact that the offer of employment of the WBSETCL to the petitioner is still open, this Court in exercise of its equitable jurisdiction under Article 226 of the Constitution of India directs the WBSETCL to absorb the writ petitioner subject to his joining within the next seven days. The WBSETCL shall not insist on any clearance from the District Judgeship of Bankura. The petitioner has only worked there for a period of two years. The temporary employment with the District Judge, Bankura shall be deemed to have come to an end.

The service of the petitioner with the WBSETCL and benefits thereof shall only count from the date the petitioner joins the service of the WBSETCL. In so far as any clarification with regard to exempted category employees are concerned that may be received by the WBSETCL from the Directorate of

Employment Exchange, the same shall be applied by the WBSETCL prospectively and not retrospectively.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)