

08.04.2021.
Item no. 351.
Court No. 13
ap

**W.P.A. No. 6573 of 2021
(Through Video Conference)**

Azmaul Sk.
Versus
The State of West Bengal & Ors.

Md. Ahsanuzzaman.

...For the petitioner.

Mr. Tapan Kumar Mukherjee,
Ms. Tuli Sinha.

...For the State.

Affidavit-of-service filed by the learned Advocate for the petitioner in Court today be taken on record.

The petitioner is aggrieved by an order dated 2nd February, 2021 passed by Additional Secretary to the Government of West Bengal, Panchayats & Rural Development Department. The said order was passed, pursuant to a direction of a Co-ordinate Bench of this Court dated 18th March, 2019 in W.P. No. 30452 (W) of 2017.

The facts of the case are that the petitioner was appointed as a casual worker allegedly in the post of Panchayat Karmee in the year 2014 by Arjunpur Gram Panchayat, District – Murshidabad. None of the norms or process of appointment have been followed in the petitioner's appointment.

It was found in the impugned order that Gram Panchayat Pradhan was not the competent authority

to fill up any post in a P.R.I. body. It was further found that the normal process of competitive recruitment has not been followed.

The petitioner was found appointed for miscellaneous works and no specific role was assigned to the petitioner. His wages were paid from the income of the Gram Panchayat. The claim for permanency, therefore, was found unsustainable.

This Court finds no procedural irregularity in the order. All relevant aspects have duly been considered in the impugned order by the Additional Secretary to the Government of West Bengal, Panchayats & Rural Development Department.

The order is neither perverse nor arbitrary and does not call for any interference by this Court.

Hence, the instant writ petition must fail and is hereby dismissed.

There will be no order as to costs.

Urgent certified Photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Rajasekhar Mantha, J.)