

07.01.2021

Ct. No. 24

Item No. 16

pk.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA No. 4919 of 2020

Suvendu Das

-vs-

The State of West Bengal & Ors.

Mr. Ekramul Bari,
Mrs. Tanuja Basak

for the petitioner

None appears on behalf of the petitioner at the time of call despite service.

Affidavit of service filed in court today be kept with the records.

The petitioner is an employee of Bhagirathi Co-operative Milk Producers' Union Ltd., a Government of West Bengal Project. He was appointed on contractual basis by an appointment letter dated 25th June 2014.

It appears that the employer by a letter dated 31st May 2018 appointed the petitioner as Boiler Operator on regular basis, based upon his performance and tenure of service during the contractual period. There is a further communication dated 18/19th July 2019 regarding extension of the contractual period of the petitioner and it says that the other terms and conditions mentioned in his letter of engagement shall remain unaltered. The tenure of the petitioner was extended for a period of one year with effect from 22nd July 2019.

The petitioner relies upon an unreported order dated 3rd July 2019 passed in WP No. 9872 (W) of 2019 whereby the similarly placed employees' prayer for consideration of their representation for payment in the regular pay band was directed to be considered.

It has been submitted in court that in compliance of the order passed, the employer by a communication dated 20th August 2019 has hiked the salary of the employees.

The petitioner thereafter made a representation to the Managing Director of Bhagirathi Co-Operative Milk Producers' Union Ltd. on 22nd August 2019 praying for similar relief.

The petitioner complains that his representation has not been considered by the respondent authority till date.

As it appears that the representation of the petitioner is pending consideration at the end of the respondent authority, no useful purpose will be served by keeping this writ petition pending.

The writ petition is accordingly disposed of by directing the Managing director of the Company being the respondent no. 7 herein to consider the representation made by the petitioner, strictly in accordance with the relevant rules/circulars/notifications and pass a reasoned order within a period of ten 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 the petitioner immediately thereafter.

It is made clear that this court has not gone into the merits of the case and all points are left open to be decided by the said respondent at the time of consideration of the prayer of the petitioner.

WPA No. 4919 of 2020 is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)