

UL.
March 11, 2021.
MNS.

W. P. A. 7288 of 2021
(**Via video conference**)

Dr. Joydev Lahiri
Vs.
The Chief Election Commissioner of India
and others

Mr. Debasish Roy Chowdhury

... for the petitioner.

Affidavit-of-service filed in Court today be
taken on record.

Despite service, none appears on behalf of
the respondents.

The complaint of the petitioner is that the
petitioner was assigned the duty of acting as a
Presiding Officer in the oncoming Assembly
elections, whereas persons employed in posts
having a lower pay matrix than the petitioner have
been assigned superior posts such as Chief
Electoral Officer.

Learned counsel appearing for the
petitioner relies on a list of such appointments
given in paragraph - 8 at page 7 of the writ
petition.

However, the pay matrix of the person
concerned cannot be a criterion for the
administration to choose the post to which a

person will be appointed. Even the gradation of a particular person in respect of his rank in the job he holds, does not have a direct bearing on the deputation, which is on a temporary basis, for the purpose of conducting election.

Although this Court can appreciate the perceived injury to the dignity of the petitioner, the grounds sought to be made out in the writ petition are not sufficient for setting aside such temporary assignment of the petitioner. The assignments-in-question are merely for administrative purposes and do not apply to the gradation of office or pay scale of the persons concerned.

As such, there being no reasonable nexus between the grounds on which the petitioner has challenged his appointment as a Presiding Officer and the relief sought by the petitioner, the writ petition cannot be entertained.

Accordingly, W. P. A. 7288 of 2021 is dismissed.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)