

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 11144 of 2021
(Via Video Conference)

Abul Kalam Azad
Vs.
The State of West Bengal & Ors.

Mr. Asit Kumar Biswas
... For the petitioner.

Mr. Biswabrata Basu Mallick,
Mr. Sayan Ganguly
... For the respondents.

The petitioner was working as Civic Volunteer in the year 2013 under Nadia District Police and was posted at Kaliganj Police Station. The petitioner identity entry number is 198 of 2013 under Kaliganj Police Station. The petitioner says that due to health reasons he was unable to perform the duties assigned to him as Civic Volunteer and, as such, his employment stood terminated. The petitioner after recovering from his illness had made several representations to the police authorities, including the Superintendent of Police, Nadia, for allowing him to perform his duties as Civic Volunteer.

After hearing the parties and considering the materials on record I find that the employment of the petitioner as Civic Volunteer is purely a contractual one. No writ petition for enforcement of a contractual employment and that too upon the same having been

terminated is permissible. The petitioner's remedy, if any, lies elsewhere.

The writ petition is dismissed only on the ground that writ does not lie in respect of a contractual employment that too after the same stood terminated.

I have not gone into the merits of the petitioner's case. Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

(Arindam Mukherjee, J.)