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08.04.2021
Ct. No.10
b.das

W.P.A. 7893 of 2016

Samir Das
Vs.
The State of W.B. & Ors.

Sardar Amjad Ali
Masum Ali Sardarfor the petitioner.

Ms. Monjuli Chowdhury
Ms. M. Sinha ...for Respondent Nos. 7 & 8.

Heard the parties.

The grievance of the petitioner pertains to extension of service benefits which the petitioner alleges that he is entitled under extant Rules and Regulations.

Mr. Ali, Senior Advocate appearing on behalf of the petitioner submits that the petitioner has been engaged for long as a pump operator under the respondent Howrah Zilla Parishad.

It is also submitted in view of the long engagement of the petitioner, he is entitled to all benefits under extant circulars which provide for his tenure, emoluments and service benefits to the petitioner.

The petitioner also relies on the Memorandum of the Finance Department, Audit Branch, Government of West Bengal.

The respondent Howrah Zilla Parishad is represented.

Mr. Joytosh Majumder, learned Government Pleader alongwith Ms. Sucharita Paul represent the State.

The petitioner also relies on an earlier order dated 16th July, 2018 passed by a Co-ordinate Bench of this Hon'ble Court.

In view of the submissions made on behalf of the parties, I direct the respondent No.6 being the District Magistrate to consider the case of the petitioner in accordance with law and pass a reasoned order after giving a right of hearing to all the affected parties.

It is made clear that I have not gone into the merits of the case and the District Magistrate is not to be influenced by any observations insofar as the merits of this case are concerned.

The aforesaid exercise is to be completed within a period of two weeks from date.

Since no affidavits have been filed, the allegations contained in the application are not admitted.

With the aforesaid directions, WPA 7893 of 2016 stands disposed of.

However, there will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Ravi Krishan Kapur, J.)