

09.11.2021
Court No. 19
Item no.37
CP

WPA 14103 of 2021

Swapam Sardar
Vs.
The State of West Bengal & ors.

Mr. Manoranjan Jana
Mr. Radhasyam Maiti

.....for the petitioner.

Mr. Raja Saha
Ms. Rupsha Chakraborty

...for the State.

The grievance of the petitioner is that despite the order of this court for granting appointment to the petitioner under the died-in-harness category, the petitioner has not yet been appointed.

It appears that by an order dated September 13, 2017, the Special Secretary, Government of West Bengal (PRI Cell), Department of Panchayat & Rural Development was directed to grant appointment to the petitioner on compassionate ground on the basis of the recommendation forwarded by the Additional Director, Panchayat & Rural Development, West Bengal as per seniority. Subsequently, the petitioner filed a contempt application challenging the inaction of the authorities, as he was not appointed. The contempt application was disposed of upon recording that from the report filed before the court, it

appeared that the respondents had complied with the order. In the report a document was annexed from which it appeared that the Special Secretary had informed the petitioner that his name appeared at Sl No. 95 in the provisional panel of the died-in-harness exempted category for the District of 24 Parganas (South) and appointment would be given when vacancy would arise.

The petitioner submits that as the petitioner is a scheduled tribe candidate, the turn of the petitioner to be appointed in the vacancy for the category of scheduled tribe has come, but the petitioner's name has been kept pending in the provisional list for malafide reasons.

Under such circumstances, the Special Secretary to the Government of West Bengal, Panchayat & Rural Development Department, respondent no. 4 herein, shall intimate the petitioner the position of the petitioner in the provisional list, *vis a vis*, his category/status, i.e., whether the position of the petitioner from Sl No. 95 has altered in any way and whether he is eligible to be appointed soon to a vacant post under the died-in-harness category reserved for scheduled tribe.

As the petitioner is aged 42 years, it is expected that the decision shall taken and communicated to the petitioner within a period of

four weeks from the date of communication of this order.

The writ petition is, thus, disposed of. There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)