

08-02-2021
ct no. 13
Sl.17
sp

**WPA 9092 of 2020
With
CAN 1 of 2020**

Tarun Kumar Mazumdar
-Versus-

Union of India & Ors.
(Via Video Conference)

Mr. Kamakshya Prasad Mukhopadhyay
...for the petitioner

Mr. Kallol Basu,
Mr. Somnath Bose
...for the KoPT

Ms. Ashima Roy Chowdhury
...for the UOI

Mr. Uttam Kumar Mondal
...for the Dock Labour Board

The writ petitioner submits that he has superannuated from the service of the Calcutta Dock Labour Board on February 1, 2021. He was deputed to the S. P. Mukherjee Port Trust, in the year 2011, until the year 2013, when he has sent back to his original employment with the Port Trust.

Counsel for the petitioner submits that he ought to have been absorbed in the service of the S.P. Mukherjee Port (formerly Kolkata Port Trust).

Counsel for the Port Trust submits that the Port Trust cannot absorb employees who are sent on deputation from the Calcutta Dock Labour Board and that too for a brief period.

The petitioner waited from 2013 till the year 2021 to make a representation in this regard. He claims to have made one representation in the year 2018.

This Court is of the view that the petitioner cannot claim any rights in S.P. Mukherjee Port Trust since he has been sent back to his original employer in 2013 itself.

For the reasons stated hereinabove, no relief can be granted to the writ petitioner in this writ petition.

Accordingly, the instant writ petition along with connected application shall stand dismissed.

There shall be no order as to costs.

Urgent photostat certified copy of this judgment, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)