

Item No. 102

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

18.02.2021
Ct-24

W.P.A. 11530 of 2020
Mafizur Rahaman
v
The State of West Bengal & Ors.

Ms. Susmita Saha Dutta
Mr. Niladri Saha
... for the petitioner.

Mr. Joytosh Majumdar
Mr. Raja Saha
Ms. Kakali Samajpati
... for the State.

The petitioner was engaged as a casual Labourer temporarily by the Pundari Gram Panchayat by a letter of appointment dated January 14, 2016. The Panchayat Samity thereafter took a resolution for appointment of the petitioner as a Village Level Entrepreneur (VLE) in the meeting held on February 17, 2020. Thereafter, the appointment letter was not issued in favour of the petitioner.

A notification was published by the office of the Pradhan, Pundari Gram Panchayat on February 20, 2020 inviting applications from

eligible candidates for the selection to the post of Village Level Entrepreneur, on contract basis for one year. The petitioner is aggrieved by the publication of the said notification.

According to the petitioner since he is already serving as a casual labourer in the said Panchayat Samity, engagement of a new candidate will put his livelihood at stake.

The petitioner prays for a direction for consideration of his case for appointment as the Village Level Entrepreneur in the said Gram Panchayat.

The learned Government Pleader representing the said respondent submits that the engagement of the petitioner was absolutely casual. The petitioner cannot raise any objection with regard to the notification, which has been published for engagement of Village Level Entrepreneur on contract basis.

It has been submitted that the petitioner may apply in terms of the aforesaid notification and if he is eligible then necessary steps will be taken.

After hearing the submissions made on behalf of the parties it appears that the Gram Panchayat took a resolution for appointment of Village Level Entrepreneur and thereafter published a notification for selecting the best candidate. The Court ought not to interfere in the selection process at this stage. In the event, the petitioner possesses the requisite qualification and the selection process which was initiated by the notification dated February 20, 2020 is still open, then the petitioner may apply in accordance with the notification. No further relief can be granted in favour of the petitioner in the instant writ petition.

WPA 11530 of 2020 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(**Amrita Sinha, J.**)