

23-03-2021
Court No.2
Sh-11

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI
(Through Video Conference)**

W.P.A. 626 OF 2021

Debaprasad Karmakar
Vs.
The State of West Bengal & Ors.

Mr. Kamal Krishna Banerjee,
Mr. S. Basu.
.. For the Petitioner
Mr. Bikramaditya Ghosh,
Ms. Bedashruti Bose.
..For the State.

Parties are represented through their learned advocates, the names of whom are shown above at the beginning of the order sheet.

Affidavit of service filed today in court be taken on record.

The principal grievance of the writ petitioner is that in spite of rendering service as data entry operator in the Office of the respondent no.6 after being sponsored by the concerned service provider, followed by retention of service of the writ petitioner, the remuneration of the writ petitioner for 17 months commencing from January 2018 to May 2019 remaining unpaid rendering the petitioner to suffer extreme financial distress.

Admittedly, for the purpose of digitalization in the official records of Backward Classes Welfare Department , the service of good number of data entry

operators was sought for. After being so requisitioned the service provider of the writ petitioner supplied the name of the writ petitioner with others for the due purpose of rendering service as data entry operator in the Office of the Backward Classes & Welfare Department of District Jalpaiguri.

Mr. Mukherjee, learned advocate, representing the writ petitioner submits that after being favoured with retention of service of the writ petitioner, the remuneration of the writ petitioner has not been liquidated and several representations have already been made, which have not been considered in its true perspective.

Mr. Ghosh, learned advocate, representing the State submits that exchange of affidavits may be directed to be furnished in order to duly address the issue involved in this case.

The point being very short, the Court is of the view that exchange of affidavits is not necessary.

That being the position, the instant writ petition may be disposed of, so as to sub serve the purpose of justice giving a direction mentioned as hereunder:

The instant writ petition is disposed of by directing the respondent authorities to consider and dispose of the grievance of the writ petitioner as ventilated in the writ petition by treating the writ petition as representation of the petitioner, within a period of eight weeks from the date of communication

of this order after giving an opportunity of hearing to the petitioner.

It is clarified that the respondent authority shall pass a reasoned order while disposing of the representation of the petitioner, which shall be communicated to petitioner within one week after the disposal of representation.

With these observations and directions, the writ petition is disposed of without any order as to costs.

Since no affidavits have been called for, the allegations contained in the writ petition shall be deemed not to have been admitted by the respondents.

Urgent Photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties expeditiously on compliance of all requisite formalities.

(SUBHASIS DASGUPTA, J.)