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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 931 of 2022

Gokul Chand Mondal
Vs.
The State of West Bengal & Ors.

Mr. Palash Mukherjee
.... For the petitioner.

Mr. Biswabrata Basu Mallick,
Mr. Sayan Ganguly
... For the State.

Mr. Sajal Kanti Bhattacharyya,
Mr. Sarthak Burman
.. For the respondent no.4

The petitioner claims to have joined Calcutta Homoeopathic Medical College and Hospital as a “Caretaker” on 16th July, 1982. The organization at the time when the petitioner joined was a private Medical College and Hospital. Subsequently, the management and the acquisition of the hospital by the Government of West Bengal took place on promulgation of Calcutta Homoeopathic Medical College and Hospital (taking over of Management and Subsequent Acquisition) Act, 1983, (hereinafter referred to as the said Act.). In consequence of such taking over and acquisition, the petitioner was absorbed as a Group ‘D’ staff by the Government of West Bengal, Department of Health and Family Welfare. The petitioner is claiming retiral benefits as he says that the length of service calculated by the department is much

less than the year of service which the petitioner had put in, according to the petitioner.

Be that as it may, the dispute relates to service benefits of an employee under the Government of West Bengal. In view of the provisions of Administrative Tribunal Act, 1985, the petitioner has to ventilate his grievances, if any, before the competent jurisdictional Tribunal and no writ petition is maintainable before this Court.

In the aforesaid facts and circumstances, the writ petition stands dismissed as withdrawn with liberty to the petitioner to approach the competent Tribunal constituted under the 1985 Act on the selfsame cause, if permissible in law.

(Arindam Mukherjee, J.)