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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 6094 of 2022

Supriya Gangopadhyay
Vs.
Saha Institute of Nuclear Physics & Ors.

Mr. Anindya Lahiri,
Ms. Pranati Das
.... For the petitioner.

Mr. A. K. Dasgupta
... For the respondent nos. 1,
2 and 3

The petitioner was promoted to the post of Security Officer in Saha Institute of Nuclear Physics under respondent no.2 with effect from 1st July, 2011. This promotion was communicated to the petitioner by a letter dated 17th May, 2012 which appears at page 36 of the writ petition. On a perusal of the said letter dated 17th May, 2012, it appears that the post of Security Officer has been re-designated as Senior Security Officer. The petitioner says that the person who was working as a Security Officer re-defined as Senior Security Officer, immediately prior to the petitioner assuming charge of such office, was getting a higher scale of pay than that offered to the petitioner by the letter dated 17th May, 2012. Being aggrieved by such action, the petitioner has filed several representations requesting revision of his scale of pay and promotion. The first of such representation as annexed to the writ petition is dated 18th July, 2018 and the last one

is dated 31st January, 2022.

After hearing the parties and considering the materials on record, I find that justice will be sub-served if I direct the respondent no.2 to consider and decide on the issue raised in the petitioner's representation dated 31st January, 2022 even though it relates to a letter of 2012 and the writ petition having been filed as late as in 4th April, 2022 inasmuch as the petitioner's cause is a continuing one and delay does not debar the petitioner from seeking redressal of his grievances.

The respondent no.2 while deciding the issues shall give a reasonable opportunity of hearing to the petitioner. The entire exercise should be completed by 31st July, 2022 by passing a reasoned order which shall also be communicated to the petitioner immediately after being passed.

Since the respondents are represented, no further notice to carryout the direction given in the instant order is necessary. However, as an abundant caution, the petitioner is directed to serve a server copy of this order on the respondent no.2.

All parties including the respondent no.2 shall act on the basis of the server copy of this order without insisting upon production of certified copy thereof.

Nothing further remains to be adjudicated in this

writ petition. The same is disposed of accordingly without any order as to costs.

Since I have not called for any affidavits, allegation made in the writ petition are deemed to have not been admitted by the respondents.

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

(Arindam Mukherjee, J.)