

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 6673 of 2022

Kanta Bar & Ors.
Vs.
Union of India & Ors.

Mr. Tanmay Basu
Mr. Ranojoy Chatterjee
... For the petitioners

Mr. Asish Kumar Guha
Mr. Naren Ghosh Dastidar
... For the State

Affidavit of service filed in Court today is taken on record.

Three petitioners have joined in the same writ petition claiming employment under the Land Loser Scheme on the allegation that the land belonging to their predecessor had been acquired for construction of railway project. The petitioners went before the Central Administrative Tribunal by filing an application, being OA 982 of 1997. The said application was disposed of by an order dated 26th February, 2004. The petitioners say that despite such order having been passed against the respondents, no step has been taken to grant the petitioners' appointment under the Land Loser Scheme. The petitioners, therefor, have approached this Court seeking mandatory direction to grant them appointment.

Although, the maintainability of the writ petition at the instance of three writ petitioners having separate and

independent cause is an issue but the more substantive one is the jurisdiction of this Court to receive, entertain, try and adjudicate the instant writ petition.

After hearing the parties and considering the materials on record, I find that this Court lacks the jurisdiction to receive, entertain, try and adjudicate a writ petition at the instance of the writ petitioners on the facts as alleged in the instant writ petition. The petitioners, if have to approach this Court, have to do same by filing judicial review relating to the order of Central Administrative Tribunal or have to approach the said Tribunal. Writ petition before the Single Bench under Group-VI is not maintainable

The writ petition stands dismissed as withdrawn, with liberty to the petitioners to approach the appropriate forum, if permissible in law.

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

(Arindam Mukherjee, J.)