

S/L 34
01.12.2022
Court. No. 12
Suwayan

WPA 10847 of 2016

Manoj Kumar Sharma
Vs.
The State of West Bengal & Ors.

Mr. Ekramul Bari

...for the petitioner.

Learned Advocate for the writ petitioner is present.

None appears either for the respondent Nos. 1 to 7 or for respondent No. 8, that is, Gorkhaland Territorial Administration.

Heard the learned Advocate for the writ petitioner.

Learned Advocate for the writ petitioner has handed over a receipted copy of letter dated 30.11.2022 showing service upon the learned Advocate for the State/respondents.

Let the letter dated 30.11.2022 be kept with the record.

Despite service none turn up on behalf of the State/respondents.

In this writ petition, the writ petitioner contends that he was appointed as instructor on *ad hoc* basis in Kalimpong Junior Technical School with the approval of Director of technical education for a limited period and the same was extended from time to time. It is the grievance of the writ petitioner that in spite of making several communications with the Secretary, Technical Education Department no action has been taken to absorb the present writ petitioner in the post along with

the other candidates. In course of his submission, learned Advocate for the writ petitioner draws attention of this Court to Page 27 of the writ petition, that is, Annexure P-7 wherefrom it reveals that institute in which the present writ petitioner is working has been handed over to Gorkhaland Territorial Administration in the meantime.

In view of such, this Court proposes to dispose of the instant writ petition by directing the added respondent No. 8, i.e., Gorkhaland Territorial Administration to consider the possibility of the regularisation of the present writ petitioner's appointment and also the possibility of fixation of pay from the date of his initial appointment. The added respondent No. 8, i.e., Gorkhaland Territorial Administration is hereby directed to consider the instant writ petition as representation of the writ petitioner and it shall dispose of the representation of the writ petitioner by passing a reasoned order positively within two months from the date of communication of this order.

It is further directed that the respondent No. 8 shall give an opportunity of hearing to writ petitioner before passing the reasoned order as mentioned above.

With the abovementioned observation, the instant writ petition being WPA 10847 of 2016 is disposed of.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)