

27.06.2022.
Court No.13
Item No. 48
pk

W. P. A. 14744 of 2021

**Surojit De
Versus
The Union of India and others**

Mr. Partha Sarathi Deb Barman,
Mr. Subhadeep Chatterjee

...For the petitioner.

Despite service of notice, respondents are not represented.

It appears prima facie to this Court that the writ petition may not be maintainable since the petitioner was engaged with one Indus Integrated Information Management Limited/respondent no. 7. The petitioner claims that he was engaged as a vocational trainer under a scheme of the Central Government implemented through the State, inter alia, dated 19.12.2017, 20.11.2018 and 25.02.2021 respectively.

Admittedly, the appointment of the petitioner is contractual, and with an alleged agent under the State. The petitioner has not been able to demonstrate any direct relationship with the State in the first place. The petitioner knew of the nature of his appointment at all material times as well as at the time of joining or accepting the contractual service with the respondent no. 7. Admittedly, there are no other documents

indicating any engagement or relationship with the State either.

Hence the argument of the learned counsel for the petitioner that the petitioner is indirectly discharging the duties of the State in imparting education, albeit vocational training, cannot be accepted.

The petitioner cannot now turn around and challenge the process under which he was appointed and engaged by a private agency. The writ petition, therefore, is not maintainable against the State. In the facts and circumstances of the case, private claims of the petitioner against the respondent no. 7 are left open to be agitated in a Civil Court and/or other appropriate forum.

Accordingly, the writ petition is dismissed.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)