

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 16225 of 2021

Arnab Bhadra
Vs.
The State of West Bengal & Ors.

Mr. Joy Chakraborty
... For the petitioner

Ms. Chaitali Bhattacharya
Mr. Kartick Chandra Kapas
... For the State

Mr. Amal Kumar Sen
Mr. Sabyasachi Mondal
... For the CSTC

The petitioner has filed the instant writ petition alleging that he was not being given the promotional benefit. During the pendency of the writ petition, the employer, namely, Calcutta State Transport Corporation (in short "CSTC"), has considered his case along with some other employees and has given him promotion by appointing the petitioner on promotion temporarily to the post of Junior Traffic Supervisor with effect from 28th February, 2022. The promotion order was placed before this Court on the last occasion by CSTC and had been retained with the records.

The petitioner says that he is accepting the promotion order dated 24th February, 2022 but his

grievance is that instead of 28th February, 2022, his promotion should be given effect to from a date prior thereto as he became entitled to the promotion with the first batch which had been promoted much before 28th February, 2022.

With the promotion being given, the petitioner's main grievance that he is not receiving the promotional benefit, no more subsists. At the highest, the petitioner can ventilate his grievance with regard to the date from which the promotion has been given effect to.

The cause of action, if any, of the petitioner, therefor, with the issuance of the promotion order, which the petitioner partially accepts, has changed and cannot be considered in the instant writ petition as framed.

The petitioner will be at liberty to take appropriate steps, including filing of a writ petition, if so advised, with regard to the date from which the promotion is being given effect to by and under the order dated 24th February, 2022.

The writ petition is, accordingly, disposed of without any further order and costs, with liberty to the petitioner to take appropriate steps in accordance with law as may be advised, including filing of a writ petition, to ventilate his grievance against the date from which the promotion is being effected in case of the petitioner by virtue of the order dated 24th February, 2022.

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

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

(Arindam Mukherjee, J.)