

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 17987 of 2021

Shovan Bakshi
Vs.
Union of India & Ors.

Mr. Ujjal Roy
Mr. Arpa Chakraborty
... For the petitioner

Mr. Bhudeb Chatterjee
... For the respondents/UOI

It is submitted on behalf of the petitioner that the letter of appointment issued to him on 2nd March, 2022 has been received by the petitioner and on the basis thereof the petitioner had reported before the employer by accepting the appointment. The petitioner, I am told, has joined the services on 14th March, 2022.

On behalf of the petitioner, a submission is made that due to the mistake on the part of the respondents the petitioner is being able to join the services after about one year. The petitioner, therefor, has lost seniority and necessary orders be made conferring notional seniority to the petitioner.

Although a prayer to that effect has been made in the writ petition, but conferring such notional seniority at this stage may infringe the rights of others who are not before this Court. That apart and in any event, the

petitioner's appointment is temporary and is likely to be confirmed.

In such circumstances, the petitioner is permitted to make a representation before the employer for considering the petitioner's notional seniority, subject to confirmation of petitioner's service.

If any such representation is made, the employer and/or any other competent authority to deal with the issue shall dispose of the same within four months from the date of making such representation.

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, 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.)