

06.04.2022
Court No. 19
Item no.21
CP

W.P.A. No. 18359 of 2021

Anupam Ghatak
Versus
The State of West Bengal & Ors.

Mr. Goutam Thakur
Ms. A. Ghosh

...for the petitioner.

Mr. Suman Basu

...for the Hooghly Zilla Parishad.

Mr. Jaharlal De
Mr. Shamim Ul Bari

....for the State.

This is an application seeking regularization of the petitioner as a panchayat karmee in the Bighati Gram Panchayat. The petitioner is aggrieved by the communication of the District Magistrate & Executive Officer, Hooghly Zilla Parishad dated September 30, 2021 to the Special Secretary, Government of West Bengal, Department of Panchayats & Rural Development. From the said communication it appears that the Executive Officer of the Hooghly Zilla Parishad did not accept the proposal of the Executive Officer of Singur Panchayat Samiti for consideration of the case of the petitioner as per Memorandum dated September 16, 2011.

On the contrary, the petitioner seeks regularization which is not within the purview of the Memorandum dated September 16, 2011.

The Memorandum dated September 16, 2011 and subsequent memoranda issued on the basis of such memorandum relate to certain benefits which the Government of West Bengal had decided to grant to casual, temporary and daily rated workers engaged in the government establishments. The said memorandum does not relate to regularization. The prayer for regularization of the petitioner was never considered by the appropriate authority. Moreover, it appears that the petitioner was engaged on a casual basis by a resolution of the gram panchayat and, in 2003 and thereafter, the authorities of the gram panchayat proposed regularization of the petitioner sometime in 2007. No steps have been taken by the authorities to dispose of such recommendation of the gram panchayat.

The petitioner has approached the Joint Secretary to the Government of West Bengal, Panchayats & Rural Development Department on December 1, 2020 through his learned advocate's letter.

Let such representation be considered by the respondent No. 3 upon hearing the petitioner, the panchayat authorities who had engaged the

petitioner as also the Block Development Officer, Singur. Such order shall not be recognized as a declaration of the petitioner's right to be regularized.

A reasoned order shall be passed and communicated to the petitioner.

The entire exercise shall be completed within a period of four months from the date of communication of this order.

The writ petition is, thus, disposed of. There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)