

Item No. 124

31.10.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 20408 of 2022
Somen Krishna Samanta
v.
The State of West Bengal & Ors.

Mr. S.P. Lahiri
Mr. Arijit Pradhan
Mr. Rajesh Naskar
... for the petitioner.

Mr. Sujay Bandyopadhyay
Mr. Jagajyoti Das
... for the Municipality.

Mr. Manas Kundu
Md. Mansur Alam
... for the State.

The petitioner is in casual employment of the Municipality. He prays for being absorbed on permanent basis. Similar prayer of the petitioner was taken up for consideration by the Court in the earlier writ petition filed by him being WP No. 23528(W) of 2013.

The Court by order dated February 6, 2015 directed that, in the event, there is any scheme approved by the concerned authority for absorbing the casual employees like the petitioner, then the Municipality shall consider engagement. The Court further ordered that so far as the present employment of the petitioner is concerned in the capacity of casual employment the same shall continue till he attains the age of sixty years.

At the time of passing the aforesaid order the Court took note of the fact that the name of the

petitioner was enlisted for absorption against serial no.6. The petitioner was engaged against a sanctioned post.

The petitioner is in service till date as he is yet to attain the age of sixty years.

The petitioner made further representation before the Municipality as well as the Directorate of Local Bodies in August 2022 praying for the same relief and alleges that the said representation has not been taken up for consideration.

Learned advocates representing the Municipality and the State respondents submit, upon instruction that, no scheme has yet been framed by the respondent authority for absorbing the casual employees like the petitioner.

It appears from the documents annexed to the writ petition as well as the earlier order passed by this Court that the petitioner may be absorbed pursuant to any scheme framed by the competent authority. The authority is yet to approve any scheme for absorbing the casual employees like the petitioner. The petitioner is still in service and shall continue to remain in service till he attains the age of sixty years. The petitioner has already been granted relief by this Court in the earlier writ petition filed by him.

At this stage and on the aforesaid facts no further relief can be granted to the petitioner in the instant writ petition.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)