

22.06.2022
Court No.13
Item No.22
AP

WPA 21811 of 2017

**Sri Sushil Kumar Roy
Vs.
The State of West Bengal and Ors.**

Mr. Rajendra Chaturvedi
Mr. Amit Kumar Ghosh

... For the Petitioner.

Mr. Supriyo Chattopadhyay
Mr. Sabyasachi Mondal

... For the State.

The petitioner seeks counting of his service from 2002 i.e. the date on which he was called for interview along with one Shyam Sundar Tah. Shyam Sundar Tah despite being over age was interviewed and ranked first. By an order dated 17th August 2012 passed in WPA 3832(W) of 2002 the appointment of Shyam Sundar Tah was cancelled and the writ petitioner Sri Sushil Kumar Roy was appointed being the second empanelled candidate. He continues to work till date. He will superannuate on 30th June 2025. The writ petitioner now prays for notional benefit of service from 2002 till 2012.

The petitioner admittedly did not work during the relevant point of time. It is essentially by order of Court that the petitioner was able to secure employment.

Given the length of service of the petitioner from 2012 to 2025, he should normally be entitled to pension.

The prayers of the petitioner even otherwise cannot be acceded to.

Hence, the writ petition is dismissed.

There shall 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.)