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19-05-2022
debajyoti
(Ct. no.06)

**IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
Appellate Side**

FMA 1744 of 2019

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IA NO:CAN/1/2019 (Old No:CAN/11919/2019)

Srikanta Jana

Vs.

The State of West Bengal & Ors.

Mr. Saibal Acharyya,
Mr. Pradip Paul

... For the Appellant.

Mr. Susanta Pal,
Mr. Ananda Dulal Sarkar

... For the State.

By consent of the parties, the appeal and the application are taken up together for hearing.

The writ petitioner claims that he was employed under the Paschim Medinipur Zilla parishad in the post of 'Pump Operator' in the New Water Supply Schemes in the district of Purba Medinipur. He says that he was working since 2013. After 18 months of service, suddenly he was prevented from attending work at the behest of certain local miscreants, who, according to the writ petitioner, were acting under political influence. The writ petitioner made a representation dated December 08, 2014 to the Executive Engineer, Midnapur Mechanical Division, Kharagpur. He made a further representation dated July 26, 2016 to the respondent authorities. Alleging that his representations did not receive the attention of the respondents, the writ petitioner approached the learned Single Judge.

The learned Single Judge observed that there was no allegation that the respondent authorities were preventing the writ petitioner from attending work. If local miscreants were preventing the writ petitioner from discharging his duties as 'Pump Operator', not much could be done by the respondent authorities. The learned Single Judge dismissed the writ petition, reserving liberty to the petitioner to approach the appropriate forum in accordance with law.

We find no infirmity in the order impugned. The writ petitioner has no grievance against the Executive Engineer or any of the other authorities. The representations made by the writ petitioner cannot meaningfully or effectively be decided by the Executive Engineer or any such officer. If local miscreants are standing in the way of the writ petitioner attending his duties, the obvious remedy of the writ petitioner would be to file police complaint and to carry the same to its logical conclusion. We are of the opinion that no useful purpose will be served by directing the respondent authorities to consider or decide the representations made by the writ petitioner.

Learned advocate for the writ petitioner/appellant says that a police complaint has been lodged. However, the police have not taken any action. A copy of the complaint has been annexed to the writ petition as Annexure "P3". If the grievance of the writ petitioner is that his complaint has not been acted upon by the police, he will be at liberty to approach the appropriate forum praying for appropriate relief in accordance with law.

In our opinion, the order under challenge does not warrant interference. The appeal and the connected application are, accordingly, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Subhendu Samanta, J.)

(Arijit Banerjee, J.)