

34 08.12.2022
Sc Ct. no.22

WPA 23000 OF 2022

Sagar Hazra

Vs.

State of West Bengal & Ors.

Mr. Goutam Roy

....For the Petitioner

Ms. Sipra Mazumdar

Ms. Prativa Ghatak.

....For the State

Pursuant to the direction made on November 21, 2022, affidavit-of-service, filed today in Court, is taken on record.

The petitioner claims to be a Class IV Staff and working as a Sweeper at Subhas Chandra Bose Centenary College, Lalbagh, Murshidabad. He claims to be working from 1999 as a contractual employee whose appointment was approved by the respondent no.2 as such, as would be evident from page 14 to the writ petition. During his employment when he joined he was paid a monthly amount of Rs.125/- in 1999 and then it was enhanced to Rs.2000/- in 2010 and he is still receiving the same amount.

Despite service, none appears for the respondent nos. 3, 4 and 5.

In view of the above, the respondent nos. 3 and 4 are directed to consider the representation of the petitioner dated August 25, 2022, **Annexure-P6** to the

writ petition after giving a seven days' prior hearing notice to the writ petitioner and after hearing him shall decide the issue with their reasoned order.

The entire exercise, as directed above, shall be carried out and completed by the respondent nos.3 and 4 positively within a period of six weeks from the date of communication of this order.

The respondent nos.3 and 4 then shall communicate their reasoned order to the petitioner within a further period of two weeks from the date of the said reasoned order to be passed.

It is expected by this Court that while considering the said representation the relevant college authority shall take into account the price index prevailing at present everywhere.

It is further made clear that this order shall not create any equity in favour of the petitioner neither will it create any right with regard to his employment. The relevant college authority will be free to take its reasoned decision strictly in accordance with law.

It is made clear Court has not gone into the merits of the claim of the writ petitioner in any manner.

Since affidavits are not called for, the allegation made in this writ petition are deemed not to have been admitted by the respondents.

On the above terms this writ petition, **WPA 23000 of 2022** stands disposed of, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)