

09 01.12.2022  
NB Ct. 21

**WPA 25110 of 2022**

Samayun Sekh  
Vs.  
The State of West Bengal & Ors.

Mr. Arun Naskar.  
...for the petitioner.

Mr. Nilotpall Chatterjee,  
Mr. Amrita Lal Chatterjee.  
...for the State.

Affidavit of service filed in Court today be retained with the records.

The petitioner claims to be a “valve operator” supplying arsenic free drinking water in the village of Simurali, District Nadia. The petitioner was engaged as per the Simurali Water Supply Scheme. The petitioner has been continuously discharging his duty from 2017 onwards. It is the grievance of the petitioner that the wages have not been paid by the authorities concerned from December, 2021 till April, 2022. Thereafter, the wages of the petitioner has been paid from May, 2022 till date. The petitioner prays for consideration of his representation dated March 22, 2022 made to the Chief Engineer Head Quarter, Public Health Engineering, Kolkata. Despite the said representation dated March 22, 2022, no response has been made by the respondent no.2/the Chief Engineer till date.

Mr. Chatterjee, learned counsel appearing on behalf of the respondents submits that the petitioner is a daily wage earner. There is a dispute regarding the days on which the

petitioner attended his duties from the period of December, 2021 to April, 2022.

Having considered the rival submissions of the parties and the materials placed on record, this Court finds that justice will be subserved by directing the respondent no.2/Chief Engineer to consider the petitioner's representation dated March 22, 2022 and subsequent representations regarding the issue of non-payment of wages from December 2021 till April 2022.

Let such representations be disposed of by a reasoned order by six weeks from date.

Let a personal hearing be given to the petitioner.

The reasoned order be communicated to the petitioner within two weeks of passing thereof.

With the directions aforesaid, **WP 25110 of 2022** is **disposed of**.

Since no affidavits are directed to be exchanged in the present writ petition all the allegations contained therein are deemed not to have been admitted by the parties.

All parties are directed to act on a server copy of this order, duly downloaded from the official website of this Hon'ble Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

**(Lapita Banerji, J.)**

