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ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/2077/2022

DEB KUMAR MUKHERJEE
VS
THE STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

Date : 11th November, 2022.

Appearance:
Ms. Chaitali Bhattacharya, Adv.
Mr. Subhendu Roychowdhury, Adv.
For the State Respondents.

The Court:- None appears on behalf of the petitioner.

On an earlier occasion, the petitioner was absent and the writ petition was dismissed for default. Thereafter the same was restored. It is submitted by the learned Advocate for the State Respondents that the claim in the writ petition is not sustainable in law.

Learned Advocate for the State Respondents submits that a three men committee had made an enquiry as per the Government Policy. The petitioner was not present during such enquiry. The committee could not make an enquiry due to the petitioner's absence from the first day. The committee intimated the petitioner about a further enquiry. The petitioner prayed for time. Subsequently, the

committee fixed another date of enquiry on June 16, 2022. The petitioner was again absent. The committee, on the basis of its ex parte enquiry consulted the documents available and found that the gross pay of the family was around Rs. 27308/- per month and 90% of the income of the deceased employee was less than the gross family income. The committee found that the petitioner did not qualify for such appointment. It also appears that the mother of the petitioner is already employed as an ICDS worker and the petitioner is a Programme Assistant (Contractual) under MGNREGA Cell at Mohammad Bazar Development Block. He draws a salary of Rs. 15423/-

The report filed in the form of instructions with all documents is taken on record.

However, the petitioner is not present before this Court. Matter cannot be decided on merits. The Court had no option but to dismiss the writ petition for default. The facts as put forward by the respondents in their report are recorded.

The writ petition is dismissed for default.

(SHAMPA SARKAR, J)