

ORDER SHEET

WPO 2266 of 2022
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

TULU DEBNATH
VS.
THE STATE OF WEST BENGAL & ORS.

BEFORE:
The Hon'ble JUSTICE ARINDAM MUKHERJEE
Date: 22nd June, 2022

Mr. Srikanta Dutta, Advocate for the petitioner.

Mr. Tapan Kumar Mukherjee, Sr. Adv., Ms. Tuli Sinha, Advocate for
respondent nos. 1 to 4.

The Court : After hearing the parties and considering the materials on record, I find that the petitioner, an employee of the office of the Rent Controller, Kolkata has prayed for a mandatory order directing the respondent nos.1 and 2 to grant the petitioner promotion to the post of Office Superintendent.

The issue relating to promotion of a State Government employee like the petitioner cannot be gone into in writ jurisdiction in view of the provisions of Section 3(q), 15 and 28 of the Administrative Tribunals Act, 1985.

The writ petition is, therefore, dismissed on the ground of lack of jurisdiction of this Court to try and determine the writ petition.

Dismissal of the writ petition will not disentitle the petitioner from approaching the appropriate forum on the self-same cause if permissible in law.

(ARINDAM MUKHERJEE, J.)