

ORDER SHEET

WPO/2402/2022

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

JOYDEEP GHOSH
VS
THE STATE OF WEST BENGAL AND ORS

BEFORE:

The Hon'ble JUSTICE LAPITA BANERJI

Date : 18th November, 2022

Appearance:

Mr. Debnath Ganguly, Adv.

Mr. Aranya Saha, Adv.

Ms. Aishwarya P. Ganguly, Adv.

Mr. Supriyo Dutta, Adv.

...for the petitioner

Mr. Tapan Kr. Mukherjee, Sr. Adv.

Ms. Tuli Sinha, Adv.

...for State respondent no.1

Mr. Ranjay De, Adv.

...for respondent no.2

High Court Administration

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

In this writ petition the petitioner being an Upper Division Assistant working at the Accounts Department of the learned City Civil Court at Calcutta has sought consideration of a representation dated July 15, 2022. As per the Gazette Notification dated July 6, 2021 issued by the Judicial Department, Government of West Bengal relating to the West Bengal District (Constitution of Service, Recruitment, Appointment, Probation and Discipline

of Employees) Rules, 2015, the candidates who were eligible for recruitment as Lower Division Assistant must be Madhyamik or equivalent examination passed candidates whereas the candidates for Upper Division Assistant must hold a degree granted by a University established by law in India.

However, the notification is silent as to the qualification required for recruitment to the post of Bench Clerk, Grade-II.

Mr. Debnath Ganguly, learned Counsel appearing on behalf of the petitioner, submits that despite representation made on July 15, 2022 to the Principal Secretary, Government of West Bengal, such representation has not been considered yet.

Mr. De, learned Counsel appears on behalf of respondent no.2.

Mr. Mukherjee, learned Additional Government Pleader appears for the State.

Considering the submissions of the parties, this Court is of the view that justice will be subserved in the event the respondent no.1/the Principal Secretary, Judicial Department, Government of West Bengal is directed to consider the representation of the petitioner within eight weeks from date. The said representation will be disposed of by way of a reasoned order. The reasoned order be communicated to the petitioner within two weeks of passing thereof.

With the aforesaid directions, **WPO/2402/2022** is **disposed of**.

All parties to act on a server copy of this order downloaded from the official website of this Court.

Urgent certified website copies of this order, if applied for, be made available to the parties subject to compliance with all requisite formalities.

(LAPITA BANERJI, J.)

R.Bhar