

72.
30-03-2023
debajyoti
(Ct. no.25)

WPA 1475 of 2023

**Suresh Pal & Ors.
Vs.
State of West Bengal & Ors.**

Mr. M. Kundu,
Mr. Janardan Mondal

... For the Petitioners.

Mr. Suman Dey

... For the State.

The petitioners were engaged as Temporary Home Guards (THG) Volunteers in 2019 and have been discharging their duties. After Durga Puja, 2022, the petitioners' engagement was not continued. By a Notification dated December 30, 2022, the Deputy Secretary, Government of West Bengal, intimated that the State gave administrative approval for fresh engagement of 1615 THGs for a period of 180 days from January 01, 2023. Furthermore, 2800 THGs, who were already engaged in traffic management at Tala Bridge, were to be continued in engagement for another period of 180 days with effect from January 01, 2023.

Mr. Kundu, learned counsel, appearing on behalf of the petitioners, submits that a fresh engagement of THGs in the district of Purba Bardhaman at P.S.-Bhatar, was not done in a transparent manner and the THGs were engaged overnight.

Mr. Dey, learned counsel, appearing on behalf of the State respondents, submits that there was no administrative decision to continue with the existing

THGs in respect of the district Purba Bardhaman. Fresh engagement for 450 THGs was to be made for Purba Bardhaman.

Out of the said 450 engagements, the Bhatar Police Station was to engage 10 THGs for a period of 180 days. Since there were representations from several people prior to the representations made by the petitioners, the Officer-in-Charge, Bhatar Police Station was considering the representations/written requests of all the individuals sequentially on “first-come-first-serve” basis. It is submitted that all the written requests for engagement as THG have been taken into consideration and the names of the candidates have been sequentially included in the list.

Considering the rival submissions of the parties and the materials placed on record, this Court finds that there is no arbitrariness or perversity in the decision taken by the Officer-in-Charge, Bhatar Police Station to engage the THGs sequentially on the “first-come-first-serve” basis. Accordingly, there is no need to interfere with such administrative decision.

With the direction aforesaid, **WPA 1475 of 2023** is **disposed of**.

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

Written instruction filed in Court today on behalf of the State respondents is retained with the records.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties on compliance of all necessary formalities.

(Lapita Banerji, J.)