

09.10.2023
SL No.21
Court No.8
(gc)

FMA 519 of 2015

**Papikul Islam
Vs.
The State of West Bengal & Ors.**

1. The parties are not represented nor any accommodation is prayed for on behalf of the parties.
2. The appeal had appeared in the warning list of cases on and from 19th September, 2023 with a clear indication that the said matter shall be transferred to the Regular Bench on 6th October, 2023. The appeal is again listed today in the main cause list. All the parties have sufficient notice about the listing of the matter before the Regular Bench on and from 6th October, 2023.
3. The appeal was filed on 11th November, 2014. The record shows that no attempt has been made to move this appeal after it was filed. No step has been taken to serve notice and prepare paper books. It clearly shows that the appellant is not interested to proceed with the appeal and has virtually abandoned the appeal. However,

we consider the materials on record and the impugned order.

4. However, it appears that the grievance of the petitioner was that he should have been absorbed in the category of land losers of family and there has been an assurance given by the respondent authorities that he should be absorbed in regular service from the land losers category. At the relevant time, the writ petitioner was working as a daily rated muster roll worker (security guard) in Uttar Banga Krishi Viswavidyalaya. The writ petitioner could not demonstrate, however, he was initially engaged as daily rated muster roll worker.
5. In such conspectus of fact, the writ petition was disposed of with the observation that the candidature of the writ petitioner shall be considered along with other who may apply strictly in accordance with the terms and conditions of the advertisement.
6. We do not find any reason to interfere with the order passed by the learned Single Judge.
7. Under such circumstances, the appeal stands dismissed.

8. However, there shall be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)