

13.02.2023
Sl. No.24(DL)
srm

W.P.A. No. 2290 of 2023

Shyamal Dinda

Versus

The State of West Bengal & Ors.

Mr. Atarup Banerjee,
Mr. Amal Krishna Samanta,
Mr. Subhas Jana,
Mr. Rajdeep Pramanik,
Ms. Sanwyabi Nandi

....for the Petitioner.

Mr. Manas Kundu,
Mr. Debabrata Mondal (2)

...for the State-respondents.

Mr. Abhra Mukherjee,
Mr. Sauradeep Dutta,
Mr. Arpayan Mukherjee,
Mr. Swakshar Kumar Mondal

...for the Respondent No.11.

Mr. Partha Pratim Roy,
Ms. Poulomi Chakraborty,
Mr. Sarbanada Sanyal

...for the Respondent No.12.

Affidavit-of-service is taken on record.

In the absence of any report from the authority, the matter cannot be decided by the Court. The writ petition is disposed of with a direction upon the Executive Engineer, Midnapore Mechanical Division, PHE Directorate to treat

the writ petition as the representation of the petitioner and to dispose of the same in accordance with law.

The petitioner's entitlement to be engaged as a pump operator by the agency selected by the authority, the terms and conditions of engagement and the reliefs available shall be urged before the authority. The fact that the petitioner was not allowed to operate the pump because of alleged unlawful occupation by the respondent No.12 shall be considered. The authority will hear the petitioner, the respondent No.11, the present contractor, the respondent No.12 and all other interested parties.

A reasoned order shall be passed and communicated.

The entire exercise shall be completed within a period of two months from the date of communication of this order.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)