

21.03.2023
Court No. 19
Item 51 (ML)
CP

WPA No. 3800 of 2023

Jamini Kanta Majhi
Vs.
The State of West Bengal & Ors.

Mrs. Kaberi Ghosh (Dey)

....for the petitioner.

Affidavit of service is taken on record.

Despite service, none appears on behalf of the respondents.

Pursuant to the order dated April 1, 2019 passed in WP No. 3774(W) of 2019, the petitioner was allowed to join his service as a data entry operator in Arsha Development Block under the NRLM Project. However, it is alleged that he has not been paid his remuneration despite having been reinstated pursuant to the order of this court.

This court is unable to ascertain the correct situation in the absence of the respondents. However, no useful purpose will be served in keeping the application pending.

The writ petition is disposed of with a direction upon the Block Development Officer, Arsha Development Block to treat the writ petition as a representation and dispose of the same in accordance with law.

Before such decision is taken, a hearing shall be given to the petitioner and to the other interested parties. A reasoned order shall be passed and communicated to all the parties.

If the petitioner has been retained in service after the order of the court and has been discharging his duties as a data entry operator under the NRLM Project in the Arsha Development Block, necessary remuneration in terms of the earlier conditions of engagement of the petitioner shall be disbursed.

If the contention of the petitioner is found to be incorrect and no amount is payable, the same shall be reflected in the order to be passed.

The court has not gone into the merits of the claims.

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

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)