

05. 10.10.2023
bd. Ct.15

WPA 4289 of 2015

Ganesh Das

-vs-

State of West Bengal & Ors.

Mr. Ashoke Kumar Jha ... for the petitioner.

The writ petition is taken up for consideration in presence of the learned advocate representing the petitioner.

It has been submitted on behalf of the petitioner that the petitioner was working as Jeep Cleaner, under Block Development Officer, Gazole Block, District- Malda, with effect from 1st November, 2002 against meager amount which prompted the petitioner to make a representation dated 24th September, 2009 to the said Block Development Officer of Gazole Block for his engagement on substantive basis. A prayer has been made for direction upon the concerned respondent authorities for regularising the engagement of the petitioner.

No one appears for the respondents today.

However, having heard the learned advocate representing the petitioner and on perusal of the available materials on record it appears that the petitioner was engaged as Jeep Cleaner by the Block Development Officer, Gazole Block, Malda, and he was paid paltry sum for doing his job. Petitioner has prayed for a direction for regularising his service. There is nothing on record which demonstrates that petitioner was appointed against sanctioned

vacancy therefore no enforceable right was accrued in favour of the petitioner for issuance of mandamus directing the concerned respondent authorities to regularise the service of the petitioner.

In this regard reliance is placed on the judgment of the Apex Court reported in (2006) 4 SCC 1 (***Secretary, State of Karnataka and Ors. – vs- Umadevi and Ors.***).

Accordingly, the writ petition stands dismissed.

However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)