

29.03.2023
Sl. No.18(DL)
srm

W.P.A. No. 5931 of 2023

Shanti Das

Vs.

State of West Bengal & Ors.

Mr. Dilip Kumar Samanta,
Mr. Biswapriya Samanta,
Ms. Tithi Paul

....for the Petitioner.

Mr. Srijan Nayak,
Mrs. Rituparna Maitra

...for the State-respondents.

Mr. Subir Kumar Bhattacharjee

...for the West Bengal Comprehensive
Area Development Corporation.

Affidavit-of-service is taken on record. Despite
service, none appears on behalf of the respondent Nos.2 to
4.

Mr. Subir Kumar Bhattacharjee, learned Advocate
who usually appears for the West Bengal Comprehensive
Area Development Corporation (in short the Corporation),
is engaged by the Court to appear in the matter as the
Corporation has not entered appearance, despite service. A
copy of the writ petition be served upon Mr. Bhattacharjee.

The petitioner is aggrieved by an order of transfer.
The petitioner is a casual worker who was engaged in
Sonamukhi Krishi Vigyan Kendra, under the West Bengal

Comprehensive Area Development Corporation. He was transferred to Gaighata Project. It is submitted that such transfer was contrary to the terms of engagement of the petitioner.

The Court is not inclined to pass any orders on the submissions made by the petitioner, inasmuch as, the terms and conditions of service and the administrative control over casual workers of the Corporation, are strictly within the domain of the Corporation.

The petitioner has already approached the Administrative Secretary of the Corporation by filing a representation with his objections to the order of transfer dated March 25, 2022.

The writ petition is disposed of with a direction upon the Administrative Secretary of the West Bengal Comprehensive Area Development Corporation or any other competent authority to dispose of the representation of the petitioner, which is annexure P/4 at page 23 of the writ petition, in accordance with law. The petitioner and any other person involved in the entire process of engagement and transfer of the petitioner, shall be heard. A reasoned order shall be passed and communicated.

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

The Court has not gone into the merits of the claim of the petitioner and the issues raised shall be decided by the competent authority.

A copy of the writ petition, along with a server copy of this order, be served upon the respondent No.2 for necessary steps as per the direction of the Court.

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.)