

34.
18.5.2023
S.D.

W.P.A. 10553 of 2023

**Biswajit Mondal
Vs.
Union of India & Ors.**

Mr. Pradip Kumar Kundu
Mr. Shamik Chatterjee
Mr. Aditya Bikram Mahata
Mr. Sahil Kabir

... For the petitioner

Mr. Pradip Kumar Tarafder
Mr. Subir Pal

...For the D.V.C.

Mr. Sujit Bhunia

...For the U.O.I.

The petitioner's case is that he has been serving as an "Errand Boy" since December 23, 2014. The petitioner was attached to the Member Secretary, Damodar Valley Corporation (DVC). Since November 1, 2021, the petitioner is not being allowed to perform his duties. The petitioner has made several representations including the ones on December 31, 2021 on January 23, 2023.

Mr. Chatterjee, learned counsel appearing on behalf of the petitioner submits that the representations of the petitioner have not been considered till date.

Mr. Tarafder, learned counsel appearing on behalf of the DVC submits that the petitioner has no legal right since the engagement was temporarily in nature.

Considering the submissions of the parties and the materials placed on record, this Court is of the view that justice will be sub-served by directing the respondent no. 3/the Member Secretary, DVC or any other person delegated by him to consider the representations of the petitioner within eight weeks from date. A reasoned order shall be passed and be communicated to the petitioner within two weeks of passing thereof.

With the directions aforesaid, **W.P.A. 10553 of 2023 is disposed of.**

Since no affidavits have been directed to be exchanged in the present writ petition, all the allegations contained in the writ petition are deemed not to have been admitted by the parties.

All parties shall act on the server copy of this order duly downloaded from the **website** of this Court.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all the formalities.

(Lapita Banerji, J.)

