

09 23.03.2023
rkd Ct.15

W.P.A. 7961 of 2012

Shri Sajal Mistry

-vs-

The State of West Bengal & Ors.

Mr. Ramkrishna Bhattacharyya,
Mr. Sajal Kumar Pandit,
Mr. Kaushik Chowdhury,
Ms. Bushra Khatun

....for the petitioner.

The writ petition is taken up for consideration in presence of the learned advocate representing the petitioner. However, no one is representing the respondents.

After hearing the learned advocate for the petitioner, it appears that matter pertains to promotion of the petitioner from the post of Mazdoor to Clerk. According to the petitioner the opportunity of being promoted to Clerk arose in the year 2012 but ignoring the right of the petitioner another candidate was considered. In the meantime it has been brought to the notice of this Court that the petitioner has been promoted from Mazdoor to Clerk in the year 2017.

Now it has been contended on behalf of the petitioner that the benefits of promotion should be given notionally with effect from the year 2012.

In view of such submission being made on

behalf of the petitioner, this Court finds in absence of appropriate prayer made in this writ petition the issue which is raised today cannot be decided on this writ petition.

Accordingly, the writ petition stands disposed of granting leave to the petitioner to take steps in accordance with law, if so advised, claiming benefit of promotion with effect from the year 2012 onwards.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)