

30-11-2023

ct no. 13

sl. 7

pk

WPA 12833 of 2022

Raj Kishore Rakshit

-Versus-

The State of West Bengal and others

Mr. Arun Naskar

... for the petitioner

Mr. Arjun Roy Mukherjee,

Mr. Subhendu Sengupta

... for the State.

1. The writ petitioner seeks regularisation of his casual engagement with the State Excise Department.

2. For non payment of wages at one point of time, the petitioner had approached the West Bengal Administrative Tribunal in OA 629 of 2019.

3. It is now well settled that regularisation of casual labour cannot be ordered de hors any scheme that may be framed by the employer. The prayer for regularisation of the petitioner's employment in permanent post therefore cannot be entertained by this Court.

4. In any event, alleged service being rendered by the petitioner is with the State and the remedy of the petitioner is before the West Bengal Administrative

Tribunal and/or under the fora under the Industrial Disputes Act, 1947.

5. In view of the above, no relief can be granted to the petitioner

6. The writ petition is disposed of.

7. There will be no order as to costs.

8. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)