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10.10.2023
A.G.M.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 14271 of 2023

**Sri Krishna Chandra Das
-versus
The State of West Bengal & Ors.**

**Mr. Saikar Chatterjee
Mr. Puranjan Pal
...For the Petitioner.**

**Mr. Sandipan Banerjee,
Mr. Sobhan Majumdar
... For the Birbhum Zilla Parishad.**

**Mr. Suman Dey
Mr. Aniruddha Sen
... for the State.**

Affidavit-of-service filed in Court today is taken on record.

The order dated 14th December, 2022 passed by the Additional District Magistrate, Birbhum and Additional Executive Officer Birbhum Zilla Parishad rejecting the claim of the petitioner on his failure to produce documents to substantiate his claim, is impugned in the writ petition.

It appears that the matter was taken up for consideration by the aforesaid respondent in compliance of the direction passed by the Co-ordinate Bench of this Court on 14th September, 2022 in WPA 20736 of 2022 filed by the petitioner and order has been passed. As the petitioner failed to produce documents in justification of his claim, his prayer has been rejected.

The petitioner submits that there are other documents which the petitioner failed to produce before the authority at the time of hearing.

On a perusal of the order passed by the Court on 14th September, 2022, it appears that the Court was of the observation that disputed question of facts cannot be decided in the writ petition.

The petitioner claims that he is in service from 2010 and in support of the said submission the petitioner relies upon a certificate issued by the Adhyaksha of the Zilla Parishad on 19th May, 2010.

The Court is of the opinion that as the said certificate of the Adhyaksha was not produced at the time of consideration of his case accordingly the petitioner cannot be permitted to rely upon documents in phases and thereafter seek reconsideration of his prayer.

In view of the above, the impugned order is not interfered with.

The writ petition fails and is hereby dismissed.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)