

09.10.2023
ML-5
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 16678 of 2023

**Smt. Kasturi Midya
Vs.
The State Fisheries Development
Corporation Limited & Ors.**

Mr. Bidyut Kumar Halder,
Mr. Indranil Halder,
Ms. Neha Singh

....for the petitioner.

Ms. Santi Das,
Mr. R. D. Bhowmick

....for SFDCL.

The petitioner's case is that she was working as Receptionist with the State Fisheries Development Corporation Limited (SFDCL). By a letter dated September 25, 2022, the petitioner prayed for 2 months' leave with effect from October 1, 2022.

The petitioner's grievance is that she was not allowed to rejoin her duty after a period of 2 months.

Mr. Halder, learned counsel appearing on behalf of the petitioner submits that the petitioner's prayer for leave should have been considered and the petitioner should have been allowed to rejoin her duty.

Ms. Das, learned counsel appearing on behalf of SFDCL filed her written instructions on the previous occasion. She submits that the petitioner has been absenting herself from working since September 25,

2022. There was no formal letter of appointment/engagement issued in favour of the petitioner. The petitioner is a daily rated worker. There is no further requirement to engage her at the project of SFDCL at Oceana Tourist Complex.

Considering the rival submissions of the parties and the materials placed on record, this Court is of the view that justice will be subserved by directing the respondent authorities to consider the representation of the petitioner within 6 weeks from the date of her making of a comprehensive representation before the respondent no.2/Project-in-Charge.

A reasoned order shall be passed and communicated to the petitioner within 2 weeks of passing thereof.

With the directions aforesaid, **WPA 16678 of 2023** is **disposed of**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Hon'ble Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Lapita Banerji, J.)