

WPA 19632 of 2023
Prabir Kumar Chakraborty
Vs.
The State of West Bengal & Ors.

Mr. Shamik Chatterjee
Mr. Aditya Bikram Mahata
Mr. Sahil Kabir

.....for the petitioner

Mr. Debjit Mukherjee

.....for the WBSEDCL

Mr. Arjun Roy Mukherjee
Ms. Tuli Sinha

.....for the State

The petitioner was engaged in the post of Assistant Security Officer after being superannuated from service as a Sub-Inspector with the Kolkata Police. The petitioner was engaged pursuant to a Recruitment Notification dated July 11, 2019 issued by the West Bengal State Electricity Distribution Company Limited (WBSEDCL). It is the contention of the petitioner that the contractual period of service can be extended for a candidate till he attains the age of 65 years, depending upon the performance, physical fitness and mental status of a candidate.

Mr. Chatterjee, learned counsel appears on behalf of the petitioner.

Mr. Mukherjee, learned counsel appears on behalf of the WBSEDCL.

Mr. Roy Mukherjee, learned counsel appears on behalf of the State-respondents.

By an order dated March 27, 2023 passed in WPA 1748 of 2023, this Court directed the representation of the petitioner for extension of the contractual engagement to be considered by the appropriate authority. The Managing Director (HR & A) considered the petitioner's representation pursuant to the order dated March 27, 2023 and passed reasoned order on May 11, 2023. Such reasoned order is impugned in the present writ petition.

From the reasoned order it appears that in the event, the petitioner was re-engaged for a period of one year with effect from January 15, 2023, then it would have extended beyond the petitioner attaining the age of 65 years on December 11, 2023. Therefore, the respondent WBSEDCL did not extend the contractual term of the petitioner. The said decision was taken pursuant to the Finance Department's Memo No. 6093 – F (P) dated November 25, 2016. Furthermore, the respondent- WBSEDCL engaged an Assistant Security Officer vide Office Order No. 641 dated January 17, 2023.

Due to the aforesaid reasons, the petitioner's prayer for re-engagement was not considered by the authority concerned.

Considering the submissions of the parties and the materials placed on record, this Court finds no perversity in the decision making process of the authority concerned.

Accordingly, **WPA 19632 of 2023** is **dismissed**.

Since affidavits have not been invited in the present writ petition, the allegations made in the writ petition are deemed not to have been admitted by the parties.

All parties are to act on a server copy of this order downloaded from the official website of this Hon'ble Court.

Urgent certified website copies of this order, if applied for, be made available to the parties subject to compliance with all requisite formalities.

(Lapita Banerji, J)