

ML 143
16.05.2023
Court. No. 19
GB

WPA 22962 of 2022

Madhu Sudan Bandyopadhyay
Vs
The State of West Bengal & Ors.

*Mr. Samiran Mandal,
Mr. Abhinaba Dan,
Mr. Nitish Samanta*

...for the State.

Mr. Soumik Ganguli

...for the Respondent Nos.3, 4 & 5.

The dispute will be resolved if the petitioner can be reverted to his original position of Stenographer-cum-CA to the Additional Executive Officer, Bankura Zilla Parishad.

On the petitioner's prayer to allow him to join the post of Stenographer-cum-PA to Sabhadhipati of Bankura Zilla Parishad, the Executive Officer of Bankumar Zilla Parishad had issued an order on March 17, 2020 directing the petitioner to act as a PA to Sabhadhipati, Bankuar Zilla Parishad in the temporary camp at Raipur Block.

The petitioner finds it difficult to discharge his duties from the said temporary camp at Raipur Block and it is submitted that the Sabhadhiparti of the Bankura Zilla Parishad asked the petitioner to function from the rest house which serves as a temporary office of the Sabhadhipati.

The petitioner submits that the designation of Stenographer-cum-CA to the Additional Executive Officer, could not be taken away by asking the petitioner to serve as PA to the Sabhadhipati.

Mr. Ganguli, learned advocate for the respondent nos.3 to 5 submits that the petitioner himself had prayed that he may be given an opportunity to serve as Stenographer-cum-PA to the Sabhadhipati. Such decision was taken sometime in 2020 when the petitioner's designation as Stenographer (English)-cum-CA to Additional Executive Officer had not been taken away, but on the prayer of the petitioner he was allowed to act as the PA to the Sabhadhipati in addition to his usual duty.

Mr. Ganguli submits that as the petitioner had expressed a desire to work with the Sabhadhipati. He also worked for more than two years in such capacity.

It appears from the order dated March 17, 2020 that petitioner was directed to continue as the Stenographer – cum- Confidential Assistant to the Assistant Executive Officer of the Bankura Zilla Parishad and also act as PA to the Sabhadhipati.

The Court does not find that either the petitioner's designation or the petitioner's position had been taken away. However, as the petitioner has expressed his unwillingness to continue as PA to the Sabhadhipati, the petitioner shall make a prayer before the Executive Officer, Bankura Zilla Parishad to revert him to the post of Stenographer-cum-CA to the Additional Executive Officer, Bankura Zilla Parishad and allow him to discharge all the duties incidental to the said post. If such application is filed, the same shall be disposed of within a period of one month from the date of communication of this order.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)