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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 24406 of 2022

Achintya Mondal

Vs.

The State Fisheries Development
Corporation Limited & Ors.

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Mr. Bidyut Kumar Halder,
Mr. Indranil Halder For the petitioner.

Ms. Santi Das ... For the respondents.

The petitioner was engaged since November, 2015 as an Accountant (Technical) with Jamunadighi Fish Shed Hatchery Project, the State Fisheries Development Corporation Limited.

The grievance of the petitioner is that the petitioner after rendering service since November 2015 was not being paid salary/wages since April, 2022.

From the representation dated August 30, 2022 it appears that the petitioner was absent for a period of 21 days in April, 2022 and for a period of 12 days in August 2022.

Mr. Halder, learned counsel appearing on behalf of the petitioner states that despite rendering service for several days till August 29, 2022, the petitioner was not paid his wages. Furthermore, the petitioner has not been allowed to resume his duties since August 2022.

Ms. Das, learned counsel appears on behalf of the State and submits that all the daily rated workers are engaged on a project basis and therefore cannot claim continuance of service.

Having considered the rival submissions of the parties and the materials placed on record, this Court directs the petitioner's representation dated August 30, 2022 to be considered by the respondent no.2, Project-in-Charge, Jamunadighi Fish Shed Hatchery Project within four weeks from date. The number of days for which the petitioner has rendered services from April, 2022 till August 2022 will be calculated and the requisite amount of wages shall be paid to the petitioner. Representation of the petitioner shall be considered upon giving him a personal hearing. A reasoned order shall be passed and communicated to the petitioner within two weeks of passing thereof.

The amount that is found due and payable to the petitioner will be disbursed to him within three months from the date of the reasoned order.

With the direction aforesaid, **WPA 24406 of 2022** is
disposed of.

Since no affidavits have been directed to be exchanged in the present writ petition, all the allegations contained therein are deemed not to have been admitted by the parties.

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.)