

22.09.2023

**MAT 1855 of 2022
With
CAN 2 of 2022**

**Sk. Saifuddin
Vs.
The State of West Bengal & Ors.**

Mr. Shahan Shah
Mr. Sirajul Haque Mondal
... ... for the appellant
Mr. Biswabrata Basu Mallick, AGP
Mr. Sanjib Das
... ... for the State
Md. Sarwar Jahan
... ... for the respondent no.3
Ms. Mekhla Sinha
Ms. Malabika Roy Dey
... ... for the Howrah Zila Parishad

1. The grievance of the writ petitioner with regard to non-payment of honorarium was the subject matter of challenge in an earlier writ petition in which Hon'ble Justice Ravi Krishan Kapur passed an order on 15th February, 2021 in WPA 1271 of 2021 directing the respondent no.5 to decide the said issue.
2. In deciding the said issue, the authority concerned has taken into consideration the show cause letter issued to the petitioner on 16th September, 2016 and the representation dated 18th November, 2020. The decision of the authority was pending. However, he was not allowed to join his duties. While deciding the issue of honorarium, the order of termination was issued.

3. The appellant is a contractual employee. At the highest he is entitled to a fair opportunity of hearing. His representation was considered and thereafter the Additional Executive Officer, Howrah Zilla Parishad has passed the order dated 4th March, 2021, by which his service was terminated.
4. The show cause notice refers various misdemeanor and the conduct of the writ petitioner was undesirable the learned Single Judge found to be rather heinous and shocking.
5. On such consideration, we do not find any reason to interfere with the order passed by the learned Single Judge.
6. The appeal and the connected application fail and stand dismissed.
7. There will be no order as to costs.
8. Urgent certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Prasenjit Biswas, J.)

(Soumen Sen, J.)