

22-11-2023

ct no. 13

sl. 24

pk

WPA 25643 of 2023

Vivek Kumar Poddar

-Versus-

Union of India and others

Mr. Amritam Mandal,

Ms. Jeenia Rudra,

Ms. Shipra Naskar

... for the petitioner

Mr. Subhankar Chakraborty

... for the Union of India.

1. The petitioner was employed as an Assistant General Manager in the Food Corporation of India (FCI) in the year 2013. Pursuant to a selection process conducted in that year, the petitioner joined the post and has been working continuously therein till date.

2. By the instant writ petition, the petitioner seeks his seniority to be reckoned from the year 2011. The basis of the claim is that he participated in the recruitment for the same post advertised by the FCI in the year 2011, but was not engaged since his previous employer, the "Indian Air Force" did not communicate their 'no objection' to the FCI.

3. This Court has carefully considered the documents annexed to the writ petition and has

heard counsel for the petitioner. The claim of the petitioner is thoroughly misconceived since the petitioner accepted employment in the year 2013 without any demur or protest.

4. The question of any benefit from any previous engagement or recruitment process in which the petitioner was not successful being considered for any seniority in the present post is completely alien to service jurisprudence.

5. In the facts and circumstance of the case, the writ petition is dismissed as thoroughly misconceived.

6. There will be no order as to costs.

7. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)