

10.04.2023
Item No.5
Court No.550
Saswata

W.P.A. 28809 of 2022

Dhiren Sil & Ors.

-vs-

Union of India & Ors.

Mr. Lal Mohan Hazra
Mr. Somesh Panja
Mrs. Anuradha Hazra
Mrs. Moutusi Hazra

...For the petitioners

Mr. Biswajit Maity

...For the respondent nos. 1 & 5

Mr. Om Narayan Rai

...For the respondent nos. 2 and 3

The writ application has been filed, inter alia, praying for a direction to absorb the petitioners in terms of the order passed by the Division Bench of this Hon'ble Court.

Mr. Rai, learned advocate appearing for the respondent nos. 2 and 3 submits that all the petitioners have been absorbed with the respondent no. 2. By placing reliance on two sample copies of the appointment letters issued in favour of Tapas Pal, petitioner no. 3 and Swapan Dey, petitioner no. 6, both dated 24th March 2014, it is submitted that all the petitioners had been appointed on the same terms and conditions as appearing in the aforesaid letters of appointment.

Today, on instruction, Mr. Rai, learned advocate submits that all the petitioners are confirmed employees of the respondent no. 2. Insofar as Bela Sil is concerned, she is deemed to be confirmed as per the bipartite settlement. In support of his contention, he places reliance on two e-mail communications, one received from the HRM section

of the corporate office of the respondent no. 2 dated 10th April 2023 and another email communication issued by the Zonal Office of the respondent no. 2 dated 28th March 2023. Let both the e-mail communications be retained with the records.

Since, the petitioners are all confirmed employees of respondent no. 2 and the terms and conditions of the service of the petitioners are governed by the letters of appointment, as confirmed by Mr. Rai, learned advocate on instruction, nothing survives in the present writ application.

In such view, WPA 28809 of 2022 is accordingly, ***disposed of.***

Urgent photostat certified copy of this order, if applied for be given to the parties on priority basis upon compliance of requisite formalities.

(Raja Basu Chowdhury, J.)