

W.P.A. 32666 of 2014

Shyamal Samaddar
Vs.
The State of West Bengal & Ors.

Mr. Indradeep Pal
Mrs. Saugata Pal Das
....for the petitioner
Mr. Dwarikanath Mukherjee
Mr. Uttam Kumar De
...for the State
Mr. Swapan Kr. Majumder
Mr. Saptarshi Majumder
...for the Nabadwip Municipality

In the writ petition petitioner has prayed for approval for rendering service as Group-D employee of Nabadwip Municipality.

Today, at the time of hearing of this writ petition it has been submitted on behalf of the learned advocate for the petitioner that petitioner has retired on superannuation during pendency of the writ petition.

However, previously the Director of Local Bodies, Government of West Bengal being the respondent no. 2 has rejected the contention of the petitioner praying for grant of post facto approval and such order of respondent no. 2 is the subject matter of challenge in the present writ petition.

Mr. Indradeep Pal, learned advocate representing the petitioner has relied upon order of this Court dated 24th March, 2022 passed on the writ petition being **WPA 32668 of 2014 (Netai Chandra Singha Vs. State of West Bengal & Ors.)** and submitted that the facts involved in the

present writ petition are akin to the facts involved in **Netai Chandra Singha** (supra). Therefore, it has been submitted that the order passed by this Court in **Netai Chandra Singha** (supra) shall apply in the present case.

Learned advocate representing the State-respondents submits that the department has also found that the issue involved in the present writ petition is similar to the issue decided in **Netai Chandra Singha** (supra) and the concerned department in the State Government is awaiting concurrence from Urban Development and Municipal Affairs Department for finalization of the claim of the petitioner.

In view of the aforesaid submissions made on behalf of the respective parties and in consideration of the decision taken by this Court in **Netai Chandra Singha** (supra) this Court finds that no separate order need be passed in this writ petition except directing the concerned respondent authorities including respondent no. 2 to settle the claim of the petitioner for grant of post facto approval in the light of the decision in **Netai Chandra Singha** (supra) within a period of 8 (eight) weeks from the date of communication of this order.

Consequently, the impugned decision of the Director of Local Bodies, Government of West Bengal dated 29th June, 2012 stands set aside.

With the aforesaid directions, the writ petition stands disposed of.

However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)