

29.02.2024
Item No.06
RP
Ct. No.1

WPA(P) 43 of 2024
Rajesh Kumar Shah
Vs.
The State of West Bengal & Ors.

Mr. Manabendranath Bandyopadhyay
.....for the Petitioner
Mr. Anirban Ray, Ld. GP
Mr. Sirsanya Bandyopadhyay
.....for State
Mr. Suman De
.....for Respondent No.7

1. The petitioner challenges the appointment of the private respondent as Chief Administrative Officer on the ground that the incumbent has not held the post of Joint Secretary to the Government.
2. Learned Government pleader has submitted that in terms of the memorandum dated 18th June, 2013 the Hon'ble Governor was pleased to decide in partial modification of the Department memo dated 28.12.2012 to allow the designation of Ex-Officio Joint Secretary during posting in the Secretariat on such movement to pre-revised scale no.19 for the Officers of the State Constituted Services for whom scale linked designation has already been allowed. Thus, we find no illegality in the appointment of the private respondent as Chief Administrative Officer.
3. With the above observation, this writ petition is dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)