

16 15-07-2024
 AKG
 Ct. No.15

WPA 3714 of 2023
Suman Kundu
Vs.
The State of West Bengal & Ors.

Mr. Sayan Banerjee, Ms. Suparna Dutta	...for the Petitioner
Ms. Kakali Samajpaty, Ms. Kakali Naskar	
	...for the State
Mr. Usaf Ali Dewan, Mr. Asif Dewan	
	...for Respondent No. 3

The petitioner was a contractual ambulance driver of Jiaganj Azimganj Municipality.

It is the case of the petitioner that he was appointed in the year 2007, but on and from November 19, 2022, the Municipality did not permit to join his duties. The petitioner alleges that since his father had lodged some complaints against the Railway Police, the Municipality did not allow him to join his duties.

The Municipality, on the other hand, submits that the petitioner voluntarily refrained from his duties since November 19, 2022. The Municipality asked the petitioner to appear for a hearing on March 14, 2023. Despite notice, the petitioner did not attend the hearing.

The Municipality also submits that in place of the petitioner, another driver has been engaged.

This Court is of the opinion that the Municipality should give a fresh notice to the petitioner for hearing and consider his prayer for reinstatement in service.

Since the Municipality does not dispute that the petitioner served the Municipality from the year 2007 to 2022, without any allegations of dereliction of duties over 15 years, the Municipality should consider the re-engagement of the petitioner sympathetically. The Municipality should complete the proceedings within a period of one month from the date of communication of this order.

WPA 3714 of **2023** is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)