

17-05-2024
ct no. 13
Sl. 45
sp

WPA 4110 of 2024
Aditya Bose
-Versus-

The State of West Bengal & Ors.

Mr. N. Rahaman,
Ms. Ambiya Khatun

..for the petitioner

Mr. Anand Farmania,
Mr. Vinay Kumar Purohit

...for the State

1. The petitioner works as a temporary driver with the office of the Director, Civil Defence, West Bengal. He has claimed permanent absorption as driver.
2. It appears that the petitioner was engaged to drive the CD vehicles on emergency basis. He was engaged on a daily wage basis.
3. The question of any right of permanent absorption is clearly debarred under the letter of appointment dated 27th November, 2015. The petitioner even otherwise cannot claim permanent absorption unless he participates in a recruitment process that may be initiated by the respondents and qualifies thereunder.

4. In those circumstances, no relief can be granted to the petitioner in the instant proceeding.
5. The writ petition shall stand dismissed.
6. The respondents shall, however, revisit the wages paid to him and if arrears are still pending, the same may be released to him as expeditiously as possible.
7. Instructions of the respondents kept on record.
8. There shall be no order as to costs.
9. 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.)