

Court No. 2
10.6.2024
(Item No. 19)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 12526 of 2023

Nibaran Samanta
VS
The State of West Bengal & Ors.

Mr. Saibal Kumar Acharyya
Mr. Pradip Paul
Ms. Renesa Dey
.... For the petitioner

Affidavit of service filed in Court today is taken on record.

The petitioner claimed to have worked as a **Valve Operator** at the relevant Panchayat. Necessary payment was also disbursed in favour of the petitioner as his remuneration available at **page 18** to the writ petition.

The representation of the petitioner dated **May 21, 2021** read with averments made in **paragraph 7** to the writ petition shows that the petitioner has been discharged from his alleged employment.

None appears for the respondents, despite service.

In view of the above, to sub-serve justice the respondent No. 7 is directed to consider the case of the petitioner, only if, the petitioner stands discharged as alleged from his alleged employment and then to inform the petitioner its reasoned decision on the issue.

The entire exercise as directed above shall be carried out and completed by the respondent No. 7 positively within a period of **four weeks** from the date of communication of this order.

It is made clear that, this Court has not gone into the merits of this writ petition in any manner. The respondent No. 7 then shall communicate its reasoned decision to the petitioner positively within a period of **two weeks** from date of the said reasoned decision to be taken by him.

It is made clear that this order shall not create any right or equity in favour of the petitioner in any manner.

It is once again clarified that, only if, the employment of the petitioner stands discharged by the concerned Panchayat then the respondent No. 7 shall take steps as directed above.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition **W.P.A 12526 of 2023** stands **disposed of**, without any order as to costs.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Aniruddha Roy, J.)