

07.05.2024
Item No.104
Ct. No.238
S.A.

**W.P. No. 16897(W) of 2013
with
CAN 1 of 2016
(Old No. CAN 8660 of 2016)**

**Uttam Kumar Singha
-vs-
The State of West Bengal & Ors.**

Mr. Md. Idrish

...for the petitioner

Mr. Rajashree Venket Kundalia

Ms. Shivika Rai Singhani

...for the respondent nos.3 and 4

CAN 1 of 2016 (Old No. CAN 8660 of 2016)

This is an application for restoration. Having regard to the averments made in the writ petition, I am of the view that the petitioner has sufficiently explained the reason for his non-appearance before this Court on November 8, 2013.

Accordingly, **CAN 1 of 2016** is allowed and the writ petition is restored to its original number.

W.P. No. 16897(W) of 2013

The petitioner seeks to regularise his appointment as a “Cook Helper” at National Institute of Technology, Durgapur. The petitioner submits that his father was also a mess employee who died in harness on August 28, 1988.

The petitioner claims that he should be appointed as a regular employee of the Institute on compassionate ground upon the death of his father.

The prayer of the petitioner cannot be entertained. The father of the petitioner was not a permanent employee of the Institute. Therefore, the claim for appointment, on compassionate ground as a regular employee of the Institute cannot be sustained.

In that view of the matter, **W.P. No. 16897(W) of 2013** is dismissed.

However, dismissal of this writ petition shall not stand in the way of working of the petitioner on a temporary basis as a mess employee of the Institute.

(Kausik Chanda, J.)