

11.09.2024
Item No.13
gd/ssd

MAT/1750/2024
AADHAR HOUSING FINANCE LIMITED
VS
STATE OF WEST BENGAL AND ORS.
IA NO: CAN/1/2024

Mr. Pratip Mukherjee,
Mr. Sayak Ranjan Ganguly,
Ms. Srijani Ghosh,
Ms. Indrani Majhumdar
..for the Appellant.

Mr. B. Basu Mallick,
Ms. Parna Roy Chowdhury
..for the State.

1. We have heard the learned advocates for either of the parties.

2. The order and direction issued by the learned Single Bench is perfectly valid and calls for no interference.

3. This court exercising jurisdiction under Article 226 of the Constitution cannot direct the Chief Judicial Magistrate to take up a matter and dispose it of within a time frame especially when the court is unaware about the pressure faced by the district judiciary in the State of West Bengal. Very recently we had occasioned to deal with an intra court appeal filed by the State as against the interim order passed by the learned Single Bench challenging a notification issued for filling up promotional posts in North 24-Parganas Judgship by way of contractual appointment. In that

appeal it was a matter of record that substantial sums of money was spent during the previous financial year for manning various sanctioned posts by contractual employees. The position in the High Court at Calcutta is no better. There are badli workers who are working for more than 20 years and are being paid a paltry amount. Apart from that, the PWD contractors are being nominated by the Government to supply contract labour to the High Court. Such arrangement was made by the Government to facilitate the digitization project of the High Court. All of a sudden all the employees have been withdrawn and now the entire digitization project has virtually come to a standstill. So, considering all these factors, the learned Single Bench was fully justified in directing the appellant/NBFC to approach the District Magistrate by way of an application.

4. Accordingly, the appeal stands dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)