

05.10.2024
Item No.89
Ct. No.15
S.A.

WPA 25095 of 2024

Apollo Ali
-vs-
State of West Bengal & Ors.

Mr. Billwadal Bhattacharyya
Mr. Anish Kumar Mukherjee
Mr. Tamoghna Pramanik
...for the petitioner

Mr. Srijan Nayak
Mr. P. S. Pal
...for respondent no.1

Mr. Ankit Sureka
Mr. Biplab Das
...for respondent nos. 2, 3 & 5

Mr. Raja Saha
Ms. Bahnidipa Roy
...for Contai Co-operative Bank Ltd.

Mr. Jayanta Samanta
Mr. Kazi Sajjad Alam
...for the State

The petitioner asserts that he was initially appointed as a Technical Officer in Grade-IIA at Contai Co-operative Bank Limited on January 5, 1998. Since January 1, 2022, he has been officiating in the capacity of Secretary of the aforementioned Co-operative Bank. The petitioner contends that he is entitled to the pay scale designated for the Secretary of the Co-operative Bank.

Mr. Saha, the learned advocate representing Contai Co-operative Bank Limited, counters that the petitioner has not been formally appointed as Secretary; he is merely officiating in that role. He further asserts that appointments to the position of Secretary can only be made by the Board of Directors.

It is noted that the petitioner submitted a representation dated December 30, 2023, to the Special Officer of the Co-operative Bank. Mr. Bhattacharyya, the learned advocate representing the petitioner, submits that this representation should be duly considered.

I am not inclined to engage with the merits of the case at this stage. I hereby direct the Special Officer of Contai Co-operative Bank Limited to consider the representation dated December 30, 2023, in accordance with applicable laws within a period of two months from the date of communication of this order.

Accordingly, **WPA 25095 of 2024** is disposed of.

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

(Kausik Chanda, J.)