

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

Present:

**The Hon'ble Justice Debangsu Basak
And
The Hon'ble Justice Md. Shabbar Rashidi**

M.A.T. 2174 of 2023

**Hasnath Ali
VS.
State of West Bengal & Ors.**

For the Appellant : Mr. Asim Kumar Niyogi
Mr. Vaskar Pal

For the State : Mr. Mukti Chandra Ghosh

Heard on : September 3, 2024

Judgment on : September 3, 2024

DEBANGSU BASAK, J.:-

1. Appeal is directed against the order dated May 4, 2023 passed in W.P.A.
1920 of 2023.

2. By the impugned order, learned Single Judge disposed of the writ petition filed by the appellant. Learned Single Judge directed the authorities to pay one month salary to the appellant in lieu of notice.

3. Learned advocate for the appellant submits that, the appellant was engaged as a contractual employee. He refers to the Regulations governing the services of the appellant. He refers to Clause 2.8 and in particular 2.8.1 thereof.

4. State is represented.

5. Admitted position is that the appellant was a contractual employee and that his service conditions are governed by Clause 2.8 and in particular 2.8.1 thereof. Such Clause is as follows:-

"2.8 TERMINATION

2.8.1 Despite engagement of contractual employees, the services of such employees may be dispensed with by giving a notice of one month in writing or giving one month salary. The contractual employee can also quit service by giving one month notice or depositing one month salary."

6. Clause 2.8.1 allows termination of the contractual employment after giving one month's notice or giving one month in lieu thereof.

7. In the facts of the present case, contractual employment of the appellant was terminated without giving notice of one month. Consequently, learned Single Judge directed payment of one month salary in lieu of such notice.

Such direction is in consonance with Clause 2.8.1 of the Regulations governing the service conditions of the appellant.

8. In such circumstances, we find no merit in the present appeal.

9. **M.A.T. 2174 of 2023** is **dismissed** without any order as to costs.

(Debangsu Basak, J.)

10. I agree

(Md. Shabbar Rashidi, J.)

S.D.