

19.06.2024
Sl. No.4
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 28923 of 2023

Kamrunnesha Mirza @ Begum
Vs.
State of West Bengal & Ors.

Mr. Apurba Ghosh

....for the petitioner.

Mr. Tapan Kumar Mukherjee, AGP,

Ms. Sangeeta Roy

....for the State.

The petitioner is granted liberty to correct the cause-title with regard to the name of the petitioner.

The petitioner says that she had been engaged as a group – ‘D’ worker on temporary basis under a contract by Pakhanna Rogi Kalyan Samity since 20th May, 2012. The petitioner worked on such contractual basis up till 20th July, 2017. The petitioner says that during the tenure of 5 years, the petitioner has received remuneration at the rate of Rs.100/- per day. The aggregate remuneration recovered by the petitioner on such rate for 5 years comes to Rs.30,000/-. The petitioner is entitled to receive a sum Rs.1,86,000/- for the entire tenure of 5 years as her normal remuneration. After adjusting Rs.30,000/- from the said sum of Rs.1,86,000/- the petitioner claims to be entitled to a sum of Rs.1,56,000/-.

After hearing the parties and considering the materials on record, this Court feels that justice will be sub-served if the respondent no.3, being the Chief Medical Officer of Health (CMOH), District – Bankura is directed to consider the petitioner's case by treating the writ petition to be her representation without going into the issue of delay as the petitioner had admittedly worked up till 20th July, 2017 and this writ petition is filed on 21st December, 2023.

The respondent no.3 shall dispose of the petitioner's representation within a period of 3 months from date by a reasoned order after giving the petitioner an opportunity to represent herself. The order to be passed shall be communicated to the petitioner immediately upon the same being pronounced.

Nothing further remains to be adjudicated in this writ petition. The same is accordingly disposed of.

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

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Arindam Mukherjee, J.)

