

Item No.99
18.06.2024
Court. No. 2
GB

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION*

WPA 649 of 2022

Ananta Barman
VS
The State of West Bengal & Ors.

Mr. Debjit Kundu

... for the Petitioner/Applicant.

*Mrs. Bedashruti Bose,
Mr. Kumar Shantanu*

... for the State.

The petitioner was appointed as a Group-D staff at the Jalpaiguri District Hospital on daily wages basis. Such order took effect from June 17, 2015. According to the petitioner, there was no termination of the contract. On an allegation by a female staff an FIR was lodged. The petitioner surrendered and obtained bail immediately. The petitioner was not in custody. When the petitioner went to attend his office on July 13, 2021, he was stopped by the other staff but not by the superior authority. The petitioner lodged an FIR with the police authorities.

It also appears that the petitioner approached the Chief Medical Officer of Health, Jalpaiguri time and again with a request to allow him to join the service.

Mr. Kumar Shantanu, learned advocate for the State respondents submits that the petitioner was engaged on daily wage basis, which meant no work no

pay. Thus, the petitioner does not have any claim to be allegedly reinstated when there were so many controversies against him.

Having heard the learned advocates for the respective parties, this Court is of the view that the representation made by the petitioner should be considered by the Superintendent, District Hospital, Jalpaiguri, in accordance with law. The authority shall decide the matter upon hearing the petitioner and the other staff, if necessary and take an appropriate decision. The decision will be communicated to the petitioner.

The entire exercise shall be completed within a period of two months from the date of communication of this order.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)