

Item No.15
10.06.2024
Court. No. 2
GB

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

WPA 1044 of 2024

Chiranjit Roy
VS
The State of West Bengal & Ors.

Mr. Hillol Saha Poddar

...for the Petitioner.

*Ms. Bedashruti Bose,
Ms. Rima Sarkar*

...for the State.

*Mr. Anirban Banerjee,
Mr. Dilip Roy*

...for the Respondent Nos.8 & 9.

1. Affidavit-of-service filed in Court today, be kept with the record.
2. The writ petition has been filed by a person who was allegedly engaged by an agency. The agency is known as Indtech Associates. A pump house TW-1 situated under 1 Baikur PWSS and maintained by the Northern Mechanical Division, PHE Directorate, Siliguri was being operated by the agency through the petitioner, as one of its workers/pump house operator.
3. The agency lodged a complaint before the Inspector-in-Charge, Maynaguri Police Station on November 2, 2023 alleging that the petitioner had locked the pump house. A prayer was made for

appropriate measures so that the operation of the pumping machinery could be resumed. The Assistant Engineer (Head Quarters) Northern Mechanical Division, PHE Directorate, Siliguri lodged a complaint on November 8, 2023 with the Inspector-in-Charge, Maynaguri Police Station, intimating the dispute to the police authorities.

4. The Executive Engineer, Northern Mechanical Division, Siliguri also approached the Sub-Divisional Officer, Jalpaiguri for resolution of the matter. The Block Development Officer, Maynaguri Development Block approached the Maynaguri Panchayat Samiti and the Padamati-I Gram Panchayat for resolution of the dispute.
5. The records which have been supplied to this Court by the State authorities indicate that the agency who was given the contract to operate the pump was not being able to do so on account of the petitioner's activities resulting in closing of the pump.
6. Now, the petitioner has approached this Court for a direction upon the police authorities to register an FIR against another co-worker, and he be allowed to operate the pump. The state authorities are not connected with the petitioner. The agency was engaged. The agency was to discharge its duties. The issue between the petitioner, the co-

worker, the agency, etc., will have to be resolved either internally or if there is a law and order problem, the police authorities are to take steps in accordance with law. Complaints have already been filed before the police authorities by the agency and also by the other authorities.

7. Thus, the writ petition is disposed of without any directions as prayed for by the petitioner. I do not find that the petitioner's rights have been curtailed by the State respondents. The dispute is between the agency and the petitioner or workers and agency, the writ petition will not be maintainable.
8. There will be no order as to costs.
9. All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)