

February 6, 2025
AD 58
Ct. 17
SG

WPA 398 of 2025

Radhu Roy
vs.
The State of West Bengal and others

Mr. S.S. Arefin
... for the petitioner

Mr. Rajat Dutta
Mr. Sajal Kumar Pandit
... for the State

Mr. Monish Sen
Ms. Oisani Mukherjee
... for the respondent No.3

Exception filed on behalf of the petitioner is taken on record.

Learned counsel for the petitioner submits as follows. The petitioner has claimed regularisation of his employment as a gate-keeper at the respondent College. Although the petitioner's employment was not regularised, employment of several others were regularised who had joined the institution later. The petitioner has been unfairly treated by the respondent College. The present writ petition contains certain new points which were not taken up by the petitioner in the earlier round of litigation.

Learned counsel for the respondent College denies the allegations and submits as follows. The petitioner was appointed as a gate-keeper at the College which is a non-sanctioned post. The salary is being paid from the College fund. So far as the others are concerned, whose employment were

subsequently regularised by the College, they had undergone a selection process and sat for written test and interview. But, the petitioner did not do so. Moreover, the petitioner had approached this Court for similar relief earlier in WPA 8295 of 2020. By an order dated 09.07.2021, the writ petition was dismissed. The appellate court affirmed the order in FMA 224 of 2022 on 18.07.2023. A review petition being RVW 197 of 2023 before the Division Bench was also dismissed on 17.05.2024. The petitioner again filed this repetitive application before this Court for regularisation of his employment.

It appears that the earlier writ petition was dismissed on merits by a Coordinate Bench of this Court and the order was affirmed by the Division Bench. There is no change in the circumstances which would warrant filing of a further application.

Even otherwise, the respondent College has given a fair explanation that the others whose employments were regularised subsequently had participated in a selection process unlike the petitioner.

In view of the above, I do not find any merit in the application.

Accordingly, the writ petition is dismissed without any further order, even as to costs.

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

(Jay Sengupta, J.)