

**Sl. No.A148.**  
**13.01.2025**  
**Suman**  
**Ct. 15**

**WPA 2534 of 2022**

**Md. Shamim Afzal**  
**Vs.**  
**The State of West Bengal and Ors.**

Mr. Mohammed Amin  
Mr. Ghulam Muztaba  
Mr. U. Masood  
Mr. A. B. Mustafa  
Mr. Md. Iqbal  
..for the petitioner

Mr. Alok Kumar Ghosh  
Mr. Arijit Dey  
..for KMC

The petitioner asserts that he has been employed as a temporary worker at the Slaughter House under the Kolkata Municipal Corporation, located in Tangra, Kolkata – 700015. The petitioner further claims that he has been working against a sanctioned post for more than 15 years. Since his appointment, his daily remuneration has increased from Rs. 89 to Rs. 450.

The petitioner seeks regularisation of his employment, which was denied by an order dated August 25, 2021, on the grounds that he was unable to provide any supporting documentation.

The learned advocate for the petitioner submits that individuals in similar circumstances have been granted permanent appointments. However, he has not

been able to present any scheme or circular by which a temporary employee in the Slaughter House may be absorbed or regularised.

It has been further submitted that the relevant post is reserved for a Scheduled Caste candidate, and as the petitioner is a Muslim, he could not have been regularised against this reserved post.

It is well-established that mere continued service in a sanctioned post over an extended period does not confer any automatic right to regularisation. The appointment must be in accordance with the applicable recruitment rules of the Kolkata Municipal Corporation. Since the petitioner has failed to demonstrate that his appointment was made through a legitimate recruitment process, his claim for regularisation cannot be sustained.

Accordingly, **WPA 2534 of 2022** is dismissed.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

**(Kausik Chanda, J.)**