

16.05.2025
Sl. No.41(DL)
Ct. No.39
srm

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 6424 of 2025

Umasankar Dalapati & Ors.

Versus

The State of West Bengal & Ors.

Mr. Siddhartha Sankar Mandal,
Ms. Arunima Das Sharma

...for the Petitioners.

Mr. Santanu Kumar Mitra,
Mr. Subhabrata Das

...for the State-respondents.

The petitioners contend that they are working as Secretaries of respective gram panchayats under various districts in the State of West Bengal under the Department of Panchayat and Rural Development in the Pay Level 6 as per the ROPA, 2019. In terms of Rule 3 of the West Bengal Panchayat (Recruitment of Employees of Gram Panchayat) Rules, 2007, out of 50% of the total number of vacant posts of Executive Assistant 25% would be filled up by promotion from the post of Secretary and 25% from the post of Job Assistant and the rest of the 50% vacant posts would be filled up by deputation/direct recruitment. In the present situation the recruitment to the post of Job Assistant has been stopped and the post has practically become a dying cadre. Since the recruitment avenue to the post of Job Assistant is

almost stopped, 25% promotional quota from the post of Job Assistant for filing up to the post of Executive Assistant remain vacant. In some of the districts 25% which is to be filled from the Job Assistant has been included within the promotional quota of the Secretaries and promotion has been favoured to the post of Executive Assistant to persons holding the post of Secretary. However, the petitioners, who are working in the districts of South 24-Parganas, Purba Medinipur, Howrah and North 24-Parganas respectively, have not been promoted to the post of Executive Assistant following the procedure as adopted by the other districts. The petitioners made representation before the respondent No.2, Secretary, Government of West Bengal, Panchayat and Rural Development Department with the similar contention on 6th November, 2024. However, no steps have yet been taken. Hence, this writ petition.

Mr. Siddhartha Sankar Mandal, learned Advocate for the petitioners submits that the representation of the petitioners be relegated to the respondent No.2 for his consideration.

Mr. Santanu Kumar Mitra, learned Senior Government Advocate appearing for the State submits that the matter may be relegated to the Secretary of the concerned Department for proper consideration.

Accordingly, in view of the submissions made on behalf of the parties, the respondent No.2, Secretary,

Government of West Bengal, Panchayat and Rural Development Department is directed to consider and dispose of the representation of the petitioners dated 6th November, 2024 upon notice and hearing the parties by a reasoned order within a period of eight weeks from the date of communication of this order.

The learned Advocate for the petitioners is directed to communicate this order to the respondent No.2, Secretary, Government of West Bengal, Panchayat and Rural Development Department along with copy of the representation dated 6th November, 2024.

It is made clear that this Court has not gone into the merits of this writ petition.

Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.

With the aforesaid directions, the writ petition being **WPA 6424 of 2025** is disposed of.

Interim order, if any, stands vacated.

All connected applications, if any, stand disposed of.

There shall be no order as to costs.

All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)