

06.01.2025
Sl. No.15
Ct. No.15
S.A.

WPA 14818 of 2024

Chittaranjan Bairagya
-vs-
The State of West Bengal & Ors.

Mr. S. Jahan
Mr. P. Banerjee

...for the petitioner

Mr. Vimal Kumar Shahi
Ms. Neelam Singh

...for the State

The supplementary affidavit filed by the petitioner shall be kept on record.

The petitioner retired as a Sub-Assistant Engineer from Asansol Municipal Corporation on July 31, 2021. It is undisputed that, following his retirement, the petitioner received all his retiral dues, including pensionary benefits. However, the petitioner contends that he was promoted to the post of Assistant Engineer by Asansol Municipal Corporation on July 16, 2019. The Corporation forwarded all relevant documents to the Director of Local Bodies and the Principal Secretary, Municipal Affairs, Urban Development Department, seeking approval for the promotion.

The approval, however, was not granted, and the petitioner retired in the interim. The petitioner now seeks post facto approval for his promotion to the

post of Assistant Engineer, as well as a revision of his pay scale and pensionary benefits accordingly.

The learned advocate for the State submits that the petitioner was not promoted to a vacant, sanctioned post and, therefore, could not have been promoted to the position of Assistant Engineer.

I am not inclined to keep this writ petition pending.

It appears that the petitioner has made a representation to the Principal Secretary, Department of Urban Development and Municipal Affairs, by a letter at page 111 of the writ petition, seeking post facto approval for his promotion to Assistant Engineer.

Accordingly, I dispose of this writ petition with a direction to the Principal Secretary, Department of Urban Development and Municipal Affairs, Government of West Bengal, to consider the representation at page 111 of the writ petition within six weeks from the date of this order.

It is clarified that this Court has not examined the merits of the claim. The Principal Secretary shall decide the matter in accordance with the law.

Accordingly, **WPA 14818 of 2024** is disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties on compliance of usual legal formalities.

(Kausik Chanda, J.)