

27.08.2025

Ct. no.2

Sl. 17

b.r.

WPA 17678 of 2025

Chiranjit Karan

Vs.

The State of West Bengal & Ors.

Mr. Dinesh Pani

.... For the Petitioner.

Mr. Biswabrata Basu Mallick, Ld. AGP

Ms. Parna Roy Choudhury

.... For the State.

Mr. Dinesh Pani, learned advocate appears for the petitioner.

For the purpose of implementation of project, the **Public Health Engineering (PHE)** has appointed one Menaka Enterprise for providing manpower. Menaka Enterprise in turn has appointed petitioner **annexure p-1 at page-18** to the writ petition to execute the work under the work order dated **March 28, 2025**. The work order is valid till **January 31, 2026**. The petitioner is aggrieved with the impugned communication of the Panchayat Samiti dated **May 22, 2025, annexure p-6 at page-40** to the writ petition whereunder the Panchayat Samiti has published a list of provisional Pump Operators/Valve Operators. It is submitted that private respondent no.10,

though not represented today is one such provisional operator appointed by the Panchayat Samiti.

The petitioner contends that by virtue of the appointment of the said provisional operators, the petitioner lose its employment. Hence, this writ petition.

After considering the submissions made on behalf of the parties and on perusal of the materials on record, it appears to this Court that the petitioner was employed by the Menaka Enterprise. The contractual appointment of the petitioner was made by Menaka. The petitioner has no privity with PHE or Panchayat Samiti.

Even though the work order is said to have been in existence till **January 31, 2026**, the petitioner cannot challenge the action of the Panchayat Samiti for appointing provisional operators. The petitioner has no legal right to do so.

In view of the foregoing reasons and discussions, this Court is of the considered opinion that petitioner has no right to maintain this writ petition as the petitioner is under the contractual employment of Menaka. Menaka is the immediate employer of the petitioner.

Accordingly, this writ petition, **WPA 17678 of 2025** stands **dismissed** without any order as to costs.

Dismissal of this writ petition shall not preclude the petitioner to pursue his right, if any, has been infringed or

shall be infringed in future in the eye of law, in accordance with law.

In course of the hearing, a statement of fact has been handed over by Mr. Biswabrata Basu Mallick, learned Additional Government Pleader appears for the State, the same is taken on record.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)