

19.05.2025
Sl. No.14
Ct.3/ tkm

W.P.A. 21479 of 2024

Buddhadeb Banerjee
Vs.
State of West Bengal & Ors.

Mr. Arujp Krishna Das
Mr. Abdus Salam
... .. for the petitioner

Mr. Rajendra Chaturvedi
... .. for Konnagar Municipality

Ms. Piyali Sengupta
Ms. Keya Dhar
... .. for the State

1. The affidavit of service is taken on record.
2. The petitioner has preferred the present writ petition, being aggrieved by the inaction on the part of the respondent municipality, which has refused to permit the petitioner to resume his duties and has withheld his salary from August 2023 to date.
3. Learned counsel for the petitioner submits that the petitioner was appointed as a Helper pursuant to an appointment letter dated 29.07.2011. His appointment took effect from 01.08.2011, and he has been discharging his duties regularly since then. A copy of the appointment order dated 29.07.2011 has been placed on record, which demonstrates that the petitioner was appointed to a regular and sanctioned post under Konnagar Municipality.

4. The petitioner specifically alleges that on 17.08.2023, the Chairman of the respondent municipality verbally instructed him not to report for duty for 15 days on the allegation that he was found sleeping during working hours. However, even after the expiry of the said 15-day period, he was prevented from rejoining his duties.
5. The petitioner further submits that he approached the Grievance Redressal Cell on 01.09.2023, but no action was taken on his representation. Thereafter, he submitted a formal representation dated 01.08.2024 to the Chairman of Konnagar Municipality, alleging that he had been illegally, arbitrarily, and malafidely restrained from rejoining his duties based solely on a verbal instruction, without any formal notice or valid justification. He also contends that he was physically obstructed from resuming work and that his salary has remained unpaid since August 2023.
6. Learned counsel for the respondent municipality concedes that the petitioner has been serving under the Municipality since 2011.
7. There is no record of any disciplinary proceedings or official communication restraining the petitioner from discharging his duties.
8. Learned counsel for the respondent municipality further submits that the respondent is ready and

willing to consider and decide the petitioner's representation dated 01.08.2024.

9. Learned counsel for the petitioner submits that the petitioner shall be satisfied if his representation is considered and decided within a time-bound period.
10. In view of the submissions made by both parties, this Court directs the respondent municipality to consider and dispose of the petitioner's representation dated 01.08.2024 within a period of three weeks from the date of communication of this order. The respondent shall pass a reasoned and speaking order after affording the petitioner an opportunity of hearing.
11. With the above direction, the writ petition stands disposed of.
12. Since no affidavit-in-opposition has been called for, the allegations made in the writ petition shall be deemed to have been denied.

(Gaurang Kanth, J.)