

W.P.A. 29160 of 2024
Sanjoy Kumar Banerjee
-Vs.-
The State of West Bengal & Ors.

Mr. Abir Sarkar

....for the petitioner

Mr. Pinaki Bhattacharyya

Ms. Priyanka Jana

...for the State

Mr. Subir Kr. Bhattacharyya

...for the respondent Nos. 3 to 5

The grievance of the petitioner is directed against an order alleging non-compliance with an earlier direction by this Court in WPA 22736 of 2023 (*Sanjoy Kumar Banerjee @ Sanjoy Banerjee vs. The State of West Bengal and Ors.*). Pursuant to the above order passed in WPA 22736 of 2023, the impugned order has been passed rejecting the prayer of the petitioner for promotion on the ground that there was no vacancy in respect of the subject post.

It is fairly submitted on behalf of the concerned State-respondents that the impugned order is *ex facie*, irreconcilable and contradictory.

In view of the above, the impugned order dated 12 November, 2024 is set aside and quashed.

The matter is remanded back to the respondent No. 4 to consider the matter afresh in terms of the earlier order of Court dated 24 July, 2024 within a period of 8 (six) weeks from the date of communication of this order to the respondent No. 4.

With the above directions, WPA 29160 of 2024 stands disposed of.

However, there shall be no order as to costs.

Since affidavits have not been invited, the allegations made in the writ petition are deemed not to have been admitted.

Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Ravi Krishan Kapur, J.)