

D/L - 94
06/11/2025
Court. No. 2
Aritra

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Appellate Side**

WPA 972 of 2025

**Nishan Chettri
Vs.
The State of West Bengal & Ors.**

Ms. Supriya Singh

....for the petitioner

Mr. Nabankur Paul
Ms. Bedashruti Bose

....for the State

This matter was mentioned by Ms. Singh, learned advocate for the petitioner citing urgency. Considering the urgency pleaded, this matter was taken up out of turn.

The petitioner has challenged the order dated March 4, 2025 passed by the Special Secretary, Department of Health & Family Welfare and West Bengal State Aids Prevention & Control Society.

By the order impugned the prayer of the petitioner to consider his prayer for renewal of the contractual engagement was rejected.

Ms. Singh, learned advocate appears for the petitioner and submits that the petitioner regularly attended the duties but in the month of September, 2022, the petitioner applied for leave for accompanying his uncle for medical treatment to Vellore. She submits that the petitioner could not file the reply to the show-cause issued in the month of September, 2022 as he had to go to Vellore for the medical treatment of his uncle at the relevant point of time.

Affidavit-in-Opposition filed by the State in Court today is taken on record.

Mr. Paul, learned advocate appearing for the State submits that though the petitioner is present at the time when the show-cause notice dated September 1, 2022 was issued but no reply to the show-cause notice was submitted. Mr. Paul further submits that the petitioner was irregular in attending the duties throughout the year and considering the submission made by the petitioner at the time of personal hearing, the impugned order was passed.

The appointment was a contractual one and the period of contract has expired and the same was not renewed on the ground that the attendance of the petitioner was irregular. This Court is of the considered view that the petitioner failed to establish any legal right of renewal of such contractual appointment.

For such reason, this Court is not inclined to set aside the order impugned as the same discloses cogent reasons in support of the ultimate conclusion.

However, if there is any requirement of any contractual staff in the account section of the concerned Department, it will be open to the petitioner to make a representation for considering his candidature for such contractual appointment. If such application is made, the concerned authority shall consider the same in accordance with law.

With the above observation **WPA 972 of 2025** stands disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)