

07.01.2025
Item No.04
Ct. No.01
KAUSHIK

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION**

W.P.A. 2432 of 2024

**Rakesh Biswas
Vs.
The State of West Bengal & Ors.**

Ms. Srishthi Sarkar
...for the petitioners

Mr. Sourav Ganguly
Mr. Gopal Roy
Ms. Rishita Chakraborty
...for the respondent no. 6

Mr. Anirban Banerjee
Mr. Kumar Shantanu
...for the State

The grievance of the petitioner is directed against unpaid outstanding wages and also being restrained from carrying on services as a pump operator.

Briefly, the respondent State authorities had under a Scheme in the District of Coochbehar, awarded a contract to one M/s. B. Enterprise, Fuleswari Siliguri, Darjeeling. The above agency was to carry out the work for the period from February 1, 2024 to January 31, 2025. Pursuant to the above, the agency had engaged labourers as pump operators.

The relationship between a pump operator and the above agency is purely contractual and is governed by the terms and conditions of their respective contract. Significantly, the respondent State authorities being the Public Health Engineering Department has not engaged any pump operator and the entire job of pump operator has been outsourced to the above agency.

In view of the above, the petitioner can have no possible grievance against the State respondents. There is nothing on record to disclose that the petitioner was ever engaged by the State respondents or any State entity. The disputes between the petitioner and the said agency are purely private disputes and are not amenable to writ jurisdiction. The unreported decision in Ramen Chandra Roy @ Barman Vs. State of West Bengal & Ors. dated December 5, 2022 passed in WPA 2140 of 2022 relied on by the petitioner is distinguishable and inapposite to the facts of this case.

In view of the above, WPA 2432 of 2024 stands dismissed.

(Ravi Krishan Kapur, J.)