

12.02.2026
Court No. 02
Item No.12
(Suvendu)

WPA 1915 of 2026

Subrata Pal
-Versus-

The State of West Bengal & Ors.

Mr. M. N. Roy
Mr. G. Haldar
Mr. B. Nandy

.....for the petitioner

Mr. Saibal Acharya
Ms. Tanima Sengupta

...for the State

- 1) Affidavit of service filed on behalf of the petitioner is taken on record.
- 2) As Benches under West Bengal Administrative Tribunal are not available present writ petition is entertained on placing reliance on the judgment of this Court dated 13th January, 2026 delivered on a writ petition being WPA 27327 of 2025 (Md. Masidul Islam Vs. The State of West Bengal & Ors.).
- 3) Learned advocate representing the petitioner submits that petitioner was appointed in terms of memo dated 3rd August, 2021 as Lower Division Clerk (for short, "LDC") on contractual basis under Directorate of Child Rights and Trafficking. It is submitted that petitioner is serving as LDC continuously and

prayer is made for regularization of petitioner's service as similarly circumstanced another candidate under the same directorate was favoured with an order of regularization. It is also submitted that West Bengal Administrative Tribunal passed order in favour of that employee which was tested by the High Court and the Hon'ble Supreme Court but order of the Administrative Tribunal dated 21st February, 2014 passed in OA 1297 of 2012 was not interfered with. Petitioner claims similar relief by regularizing his service.

4) Mr. Acharya, learned advocate representing State respondents has opposed this writ petition and it is submitted that appointment of the petitioner as LDC is purely on contractual basis and such appointment was not against a sanctioned post. It is also submitted that the employee whose service was regularized by virtue of the order of the West Bengal Administrative Tribunal which was subsequently affirmed by the High Court and Hon'ble Supreme Court was working in the post of Lower Division Clerk-cum-Typist.

5) Having considered respective submissions made on behalf of the parties, writ petition stands disposed of granting opportunity to the petitioner to make a representation to the

Director, Directorate of Child Rights and Trafficking (DCRT), Government of West Bengal being respondent no. 4 by fortnight from date claiming regularization of his service. If such representation is made within aforesaid time, respondent no. 4 shall decide the same in accordance with law after hearing the petitioner or his representative by eight weeks from the date of receipt of representation. Respondent no. 4 shall pass a reasoned order and same shall be communicated to the petitioner by ten days thereafter. At the time of hearing petitioner shall be at liberty to rely upon orders passed by the Hon'ble Supreme Court, High Court and West Bengal Administrative Tribunal dated 21st February, 2014.

6) Since no affidavit is called for, allegations contained in the writ petition are deemed not to have been admitted.

7) There shall be no order as to costs.

8) Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

(Saugata Bhattacharyya, J.)