

W.P.S.T. 22 of 2026

**Piklu Roy
Vs.
The State of West Bengal & Ors.**

Ms. Pampa Dey (Dhabal),
Ms. Sarbani Dutta

...for the Petitioner

Mr. Tapas Kr. Mukherjee, Id. A.G.P.,
Ms. Tuli Sinha

...for the State Respondents

1. Heard the learned counsel for the petitioner as well as the learned A.G.P.
2. The petitioner has approached this Court after filing an O.A. before the West Bengal Administrative Tribunal ('Tribunal' for short). The O.A. was registered as O.A. No. 620 of 2024. The Tribunal is non-functional on account of there being no member.
3. In view of such circumstance, the petitioner/applicant, claiming to be remediless, has approached this Court praying for the following reliefs:

“(A) An order directing the respondent authorities to make the applicant permanent instead of the temporary appointment.

(a) An order directing the respondent authority to confirm the

service of the applicant as a Lower Division Assistant (Group-C) in Kolkata Police Directorate attached to Establishment Section, Kolkata Police Directorate under the Deputy Commissioner of Police, 5th B.N. (KAP) at an early date from the date of her appointment as a Lower Division Assistant on compassionate ground under exempted category;

(b) An order directing the respondent authority to take necessary steps for approving the service of the petitioner as a Lower Division Assistant attached to the Establishment Section, Kolkata Police Directorate with effect from 2019 to take necessary steps; and

(c) An order directing the respondent authorities to approve the service of the applicant as a Lower Division Assistant and pay all arrear dues which was not paid till today.”

4. The brief background is that on account of demise of her husband in harness in the year 2011, the writ petitioner was given the appointment by a letter dated 08.01.2019, whereby and whereunder she was appointed as a Lower Division Assistant (Group-C) in the Kolkata Police Directorate on compassionate ground under the exempted category. The appointment is stated to be in terms of the Labour Department's Notification No. 251-Emp. dated 03.12.2013. The petitioner complains that despite lapse of so many years, she has not been confirmed.

5. On repeated query of the Court as to how she claimed such a right to confirmation and whether such confirmation is time bound or contingent upon satisfaction of any requirement such as passing of test etc., no such case is made out. There is no provision brought to the notice of the Court whereby and whereunder owing to a mere lapse of time, the petitioner is required to be confirmed in service.
6. The learned A.G.P. on the other hand submits that confirmation is governed by the West Bengal Services (Appointment, Probation and Absorption of Group C Employees) Rules, 2013. The same contains the procedure including the prerequisite for such confirmation which the petitioner is required to fulfil.
7. In view of no case being made out by the applicant/petitioner and the provisions having been pointed out, we do not find a case for issuance of any direction as sought for in the application.
8. We, however, leave it open to the petitioner to claim her confirmation in terms of the Rule.
9. The Writ Petition is disposed of accordingly.
10. There will be no order as to costs.

11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)