

23rd April., 2026
Item no.D/L 04
Court No. 18
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 22853 of 2025**

In the matter of:
Partha Sarathi Bhattacharya *Petitioner*
VS.
The Water and Power Consultancy Services India Ltd.
& Ors.*Respondents*

For the Petitioner:
Mr. Bhaskar Chakraborty
Mr. Surajit Maity*Advocates*
For the Respondents:
Mr. Arik Banerjee
Mr. Joyjit Dutta*Advocates*

1. The petitioner is serving as Senior Assistant (P&S) of WPACOS Limited a Government of India undertaking under the Ministry of Jal Shakti.
2. He alleges that he is suffering from osteoarthritis and is not in a position to perform his duties.
3. It has been reported that the petitioner is absenting from duties since 2023.
4. According to the petitioner he took the help of the medical consultant but his physical condition has not improved. He is physically not fit to perform his duties. He intends to obtain voluntary retirement from the job.
5. The petitioner has prayed for a direction upon the respondents to release his dues so that he can retire from service voluntarily.

6. Learned advocate representing the respondents submits, upon instruction that, the disease of the petitioner has been found to be curable. The petitioner has not forwarded any document(s) in support of his medical treatment. The petitioner has been found unauthorizedly absenting himself from work.
7. On a perusal of the documents annexed to the writ petition and upon hearing the submissions made on behalf of both the parties, it appears that the petitioner has not filed any application seeking voluntary retirement.
8. Without a proper application, it will not be possible for the employer to consider the prayer of the petitioner seeking voluntary retirement.
9. In view of the above, the instant writ petition is disposed of with the observation that it will be open for the petitioner to make a comprehensive representation disclosing all his difficulties in attending work and with the prayer seeking voluntary retirement along with all documents in support of his prayer to the appropriate authority.
10. In the event any such representation is made, then the same shall be considered by the authority strictly in accordance with law. The authority may grant an opportunity of hearing to the petitioner to ascertain his physical condition.
11. It will also be open for the authority to check the physical condition of the petitioner by a medical expert.
12. A decision in response to the application made by the petitioner shall be taken within a period of four months from the date of filing the application.
13. The writ petition stands disposed of.

14. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.
15. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)