

IN THE HIGH COURT AT CALCUTTA

CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 28637 OF 2025

RANJIT CHAKRABORTY

VS.

THE STATE OF WEST BENGAL AND OTHERS

Ms. Parna Roy Choudhury, Adv.

Ms. Payel Ghosh, Adv.

...for the Petitioner

Ms. Amita Panja Moulick, Adv.

Mr. Tirthankar Dey, Adv.

...for the State & District
Judge, North 24 Parganas

Mr. Debashis Banerjee, Adv.

Mr. Rakesh Jana, Adv.

...for the High Court Admn

1. Matter is heard in presence of the learned advocates representing the petitioner and respondent authorities.
2. Petitioner by presenting this writ petition, *inter alia*, has prayed for granting opportunity to exercise option now to man the post of Lower Division Clerk instead of Seal Bailiff in reference to his promotion to the post of Seal Bailiff in the year 2018. Petitioner was substantively appointed as Process Server under the judgeship of North 24 Parganas on 17th September, 2015.
3. According to the petitioner, at the time of promotion no option was provided to the petitioner thereby granting opportunity to him to choose whether he would opt to be promoted to the post of Seal Bailiff or Lower Division Clerk.

4. It is further submitted on behalf of the petitioner that as option was not provided at the time of petitioner's promotion to the post of Seal Bailiff in 2018, now said option needs to be provided to the petitioner which would permit the petitioner to opt for being treated as Lower Division Clerk.
5. Learned advocate representing the District Judge, North 24 Parganas being respondent no.2 as well as State respondent has opposed this writ petition and has submitted that petitioner has not come with clean hands. A letter dated 28th August, 2017 of the petitioner is placed before this Court, which is addressed to respondent no.2 and same is taken on record.
6. It is submitted on behalf of the respondent no.2 that option was granted to the petitioner, which is being prayed for in this writ petition, but the petitioner chose to be promoted to the post of Seal Bailiff, not Lower Division Clerk. It is also submitted that such letter dated 28th August, 2017 is not disclosed in this writ petition.
7. High Court Administration is represented by learned advocate who adopts the submission made on behalf of the learned advocate representing the State as well as respondent no.2.

8. It appears from the said letter dated 28th August, 2017 of the petitioner addressed to the respondent no.2 that petitioner himself expressed willingness for promotion to the post of Seal Bailiff, not Lower Division Clerk.
9. Therefore, it further appears that the case which is made out in this writ petition is afterthought and petitioner ought to have disclosed this letter dated 28th August, 2017 addressed to the respondent no.2 in this writ petition.
10. In aforesaid conspectus writ petition stands dismissed.
11. However, there shall be no order as to costs.
12. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)