

WP(C) 4841/2007

BEFORE

THE HON'BLE MR. JUSTICE B.K. SHARMA

Heard Mr. A.M. Majumdar, learned Sr. counsel assisted by Mr. S. Islam, learned counsel for the petitioner as well as Ms. R. Chokraborty, learned Addl. Sr. G.A.

By means of this writ petition, the petitioner has prayed for a direction to the respondents to regularise his service in Grade-IV post stated to be lying vacant under the respondents. Mr. Majumdar, learned counsel upon reference to the order dated 06.03.06 passed in contempt case No. 684/2005, submits that the petitioner is entitled to some weightage in the matter of consideration of his case against any future vacancies. On the other hand, learned State counsel submits that in view of the Full Bench decision in Jitendra Kalita and others vs. State of Assam and others reported in 2006 (2) GLT 654 (FB), no direction can be issued for regularisation of services of the Muster Roll workers. Mr. Majumdar, learned counsel fairly submits that the instant case is governed by the Full Bench decision. However, he submits that the petitioner in terms of the earlier order passed by this Court, is entitled to some weightage in case of his participation in future vacancies. It is ordered accordingly.

The writ petition is disposed of.