IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI

19.11.2026
Ct No. 6
Sl. No. 19
SG

W. P. A. 3112 of 2026

Hari Prasad Sharma
Vs
Gorkhaland Territorial Administration & Ors.

Mr. Anand Bhandari,
Mr. Urgen Lama,
Mr. Mayank Bhandari.
...for the petitioner

Mr. Jagriti Mishra, ld. AAAG
Mr. Subhankar Dutta,
Mr. Tuhin Kumar Roy.
...for the State

Ms. Supriya Singh.
...for GTA

1. Affidavit-of-service is taken on record.

2. Learned Counsel for the petitioner submits that the petitioner was initially appointed as a Sub-Assistant Engineer on temporary basis under the erstwhile Darjeeling Gorkha Hill Council by virtue of an order dated on 1st October, 1998 and was subsequently promoted as an Assistant Engineer on 28th October, 2021. He has rendered unblemished and continuous service and has retired on 31st October, 2026. By a notification issued on 12th March, 2012 by the Government of West Bengal, the persons employed under Darjeeling Gorkha Hill Council have been absorbed under the Gorkhaland Territorial Administration pursuant to which the petitioner became an employee under the said administration.

3. The petitioner seeks regularization of his service and benefits accruing therefrom.

4. Learned Counsel for the petitioner take this Court to orders passed by the Principal Secretary, Darjeeling Gorkha Hill council on 30th September, 2008 which demonstrates that two other employees similarly situated with the petitioner have been absorbed in the regular cadre of Assistant Engineer and granted the pay and allowances admissible as per rules. The petitioner submitted several representations before the concerned authority in this regard but to no effect. The petitioner seeks consideration of the representations and regularization of his service.

5. Learned Counsel for the GTA submits that proposal for such regularization has been forwarded to the Government of West Bengal. Reply from the Government is awaited.

6. In view of the fact that several representations submitted by the petitioner before the Gorkhaland Territorial Administration are pending, the said authority, being the respondent no. 1 herein, is directed to consider and dispose of the same within six weeks from the date of communication of this order upon granting reasonable opportunity of hearing to the petitioner in accordance with law.

7. The petitioner shall be at liberty to place relevant documents in support of his contention before the authority at the time of hearing.

8. The decision taken by the authority shall be communicated to the petitioner within a week thereof.

9. In the event the authority arrives at a decision in favour of the petitioner, necessary consequential steps be taken at the earliest.

10. With the aforesaid directions, the present writ petition is disposed of. There shall be no order as to costs.

11. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

12. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)