

WPA 18775 of 2025

Sanjay Kumar Bera
Vs.
The State of West Bengal & Ors.

Mr. Dinesh Pani
..... for the petitioner

Ms. Aishwarya Rajyashree
Mr. Atreya Chakraborty
..... for the State

Mr. Sarthak Burman
..... for the respondent no. 7

1. The petitioner is aggrieved that his salary has not been paid. He is a contractually engaged person to run a Pump House. The contract is not between the petitioner and the State. The contract is between the petitioner and the respondent no. 7 herein.
2. It appears that the respondent no. 7 has been attempting to, rather successfully, to shift the onus of payment of salary of these contractual employees, particularly the petitioner herein on the State.
3. The petitioner is unable to establish any right as against the State. The entire grievance that his salary has not been paid is, at best, a default on account of the respondent no. 7. The rights of the respondent no. 7, if any, against the State, cannot be taken up by the petitioner as a contractual employee hired by the respondent no. 7.

4. Respondent no. 7, being a private person, is not amenable to the writ jurisdiction of this Hon'ble Court. The remedies of the petitioner lie before a civil court and not before this Court.

5. The writ petition is, thus, dismissed.

6. There will be no order as to costs.

7. Urgent photostat certified copy of this order, if applied for, be given to the parties, upon usual undertakings.

(Reetobroto Kumar Mitra, J.)