

Court No. 2
24.10.2025
(Item No. 28)
(AB)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side
W.P.A. 21237 of 2025

Raju Das & Ors.
VS
Damodar Valley Corporation & Ors.

Mr. Durga Prasad Datta
.... For the petitioners
Mr. Pratik Majumder
.... For Damodar Valley Corporation

Affidavit of service filed in Court today is taken
on record.

The writ petitioners claimed to be long
standing casual employees of the respondents
Damodar Valley Corporation and as such they claim
permanent employment.

Mr. Durga Prasad Datta, learned counsel
appears for the petitioners. In support of the claim of
the writ petitioners, he has relied upon a decision of
the Hon'ble Supreme Court ***In the matter of: Jaggo
Vs. Union of India & Ors. reported at 2024 SCC
On Line SC 3826.***

At the outset, Mr. Pratik Majumder, learned
counsel appearing for Damodar Valley Corporation
has raised the point of maintainability of this writ
petition relying upon a decision of the Hon'ble
Supreme Court ***In the matter of: Maharashtra
State Road Transport Corporation & Anr. Vs.
Casteribe Rajya Parivahan Karmchari***

Sanghatana reported at (2009) 8 Supreme Court Cases 556.

Mr. Pratik Majumder, learned counsel submits that, Labour Court, Labour Tribunal/Central Government Industrial Tribunal is the appropriate forum to adjudicate upon the issue raised through the instant writ petition.

Per contra, learned counsel for the petitioners has denied and disputed the submissions made on behalf of the DVC and he submits that the Writ Court is the jurisdictional forum.

On the joint prayer of the parties, as they will come prepare in detail on the issue, the writ petition shall appear under the heading **“Motion (Service)”** on **November 4, 2025**.

(Aniruddha Roy, J.)