

17.03.2023
DL-213
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 23097 of 2018
with
CAN 2 of 2023

Sk. Rahim Mondal & Ors.
Vs.
The Union of India & Ors.

Mr. Subhabrata Datta,
Mr. Aranya Saha
....for the applicants/petitioners.

Ms. Chandreyi Alam,
Ms. Runu Mukherjee
....for Union of India.

Ms. Alam, learned counsel appearing on behalf of Union of India submits that necessary instructions are still awaited.

Mr. Datta, learned counsel appears on behalf of the applicants/petitioners.

By an order dated February 10, 2023, this Court directed Ms. Alam, learned counsel appearing on behalf of Union of India to take necessary instructions with regard to the issue whether the impugned memorandum dated February 2, 2023 was in violation of the Standard Operating Procedure (SOP) dated September 15, 2010.

This Court feels that justice will be subserved by directing the respondent no.3/the Inspector

General/Director (Medical), BSF to file a report on affidavit on the issue of the absorption of the petitioners as Nursing Assistant in para military medical set up, BSF. The petitioners have completed their period of deputation from February 1, 2015 to January 31, 2018.

The respondent no.3 will also take into account the order dated June 17, 2014 passed by a coordinate Bench of this Hon'ble Court in WP 16888 (W) of 2014 while answering the query of this Court on the issue of absorption.

Let such report on affidavit be filed by April 13, 2023. Exception, if any, by April 21, 2023.

Let the matter appear for further consideration under the same heading "**Application**" on **April 28, 2023**.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Hon'ble Court.

(Lapita Banerji, J.)