

WPO/180/2026

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

DR. SENJUTI CHOWDHURY

-VERSUS-

KOLKATA MUNICIPAL CORPORATION
AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA DUTT (PAUL)

Date : 10th April, 2026.

Appearance:

Mr. Victor Chatterjee, Adv.

.... for the petitioner.

Mr. Alak Kr. Ghosh, Adv.

Mr. Swpan Kumar Debnath, Adv.

...for the KMC.

The Court: 1. The writ application has been preferred challenging advertisement no.3 of 2026 dated 11th March, 2026 so that conscionable justice may be administered by quashing the same. The petitioner has further prayed for regular pay scale and other benefits of Permanent Medical Officers from the date of her joining in the service of the respondent no.1 on application of the principle of “equal pay for equal work” and further direction to regularize and/or absorb your petitioner as Permanent Medical Officers of the respondent no.1. Finally, the petitioner prays that she may be allowed to participate in the selection process without prejudice.

2. Admittedly, the petitioner is six months over-age to qualify for applying for the job as per the advertisement no.3 of 2026 dated 11th March, 2026

issued by the Kolkata Municipal Corporation (KMC). Relying upon an order passed by a co-ordinate Bench in WP/25/2016 dated 3rd May, 2017 learned counsel for the petitioner submits that as the petitioner is on similar footing, the petitioner may be permitted to participate in the examination.

3. On perusal of the order of co-ordinate Bench relied upon by the petitioner, it appears that the Court observed that as no selection process was conducted during the long period served by the petitioner therein, granted opportunity to the petitioner to participate in view of the fact that if any selection process had been conducted earlier, the petitioner would be within the permitted age limit and would have had a chance of appearing in the examination. **In the present no such circumstances exist.** The petitioner was offered appointment on 24th July, 2017 to the post of Medical Officer under the Kolkata Municipal Corporation (KMC). It is submitted by the learned counsel for the petitioner that the petitioner could not join as the petitioner was not granted a 'no objection certificate' from the erstwhile employer.

4. This Court is of the view that at that stage, the petitioner was on liberty to approach the Court for appropriate relief, which the petitioner chose not to do. After five years the petitioner responding to an advertisement for the post of a contractual medical officer has joined the respondent/corporation on contractual basis. As such, it appears that at present the petitioner is in service with the respondent/KMC for about three and a half years which, prima facie, cannot be considered to be a substantial period of service in a contractual job.

5. It is submitted by Mr. Ghosh, learned senior counsel for the respondent/KMC that such contractual job performed by the petitioner herein is

under the National Urban Health Mission (NUHM) and, as such, the petitioner herein is engaged in a specific project of the Corporation and not under a contractual job directly under the KMC.

6. Considering the said facts of this case, this Court has no option but to dispose of the application with the following limited relief:

7. The respondent nos.3 and 4 shall consider the petitioner's representation dated 28th March, 2026 in accordance with law and, if any such relief can be provided to the petitioner, the respondent authorities are at liberty to do so.

8. Accordingly, WPO180/2026 stands disposed of.

(SHAMPA DUTT (PAUL), J.)