

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

WPA/337/2026

Shri Sudhamoy Mondal

Vs

The Lt. Governor and Others

Mrs. Anjili Nag, Sr. Adv.

Ms. Sohini Biswas

Mr. Deb Kumar Bawali ... for the petitioner

Mr. Rakesh Kumar ... for the respondents

July 07, 2026

[AKB]

Item No.3

The writ petitioner alleges arbitrariness on the part of the respondents in preventing the petitioner from resuming his duties as Daily Rated Mazdoor (DRM) under the Electricity Department of Andaman and Nicobar Administration.

The petitioner was initially engaged as Daily Rated Mazdoor under the Minor Irrigation Division of the Andaman and Nicobar Administration. Subsequently, the petitioner was deputed to the Electricity Department as a Daily Rated Mazdoor (DRM).

While the petitioner was working there as DRM, he was arrested in connection with a criminal case and he could not join his duties. Upon being released on bail, the petitioner approached the respondents to allow him to resume his duties but the petitioner's request was not unconsidered.

The petitioner was ultimately acquitted of the charges levelled against him in the criminal case, by an order dated November 21, 2025 passed by the learned Sessions Judge,

Andaman and Nicobar Islands, Port Blair. Upon being acquitted, the petitioner made another representation on November 28, 2025 before the Executive Engineer (SAD), Electricity Department seeking resumption of duties whereupon the petitioner was informed that that the petitioner's case was being reviewed by the relevant department.

Subsequently, on May 27, 2026 a Show Cause Notice was issued to the petitioner calling upon him to explain why his request for reengagement should not be rejected.

The petitioner has filed a reply to the said notice to show cause. However, no action has been taken thereon.

Mrs. Nag, learned Senior Advocate appearing for the petitioner submits that petitioner is unable to earn his living because of the inaction of the respondents and their arbitrariness in not allowing the petitioner to rejoin his duties.

Mr. Rakesh Kumar, learned advocate appearing for the respondents invites the attention of this Court to a letter dated May 05, 2026 issued by the Assistant Labour Commissioner –II to the Superintending Engineer, Electricity Department, Sri Vijaya Puram, which has been annexed to the writ petition to indicate that the office of the Labour Commissioner is also seized to the matter.

Since a notice to show cause has been issued to the petitioner and the same has been responded to by the petitioner, the respondent must dispose of the matter in accordance with law upon considering the petitioner's reply to the show cause.

Since a substantial period of time has already lapsed, the respondent No.4 i.e. Executive Engineer, South Andaman Division, Electricity Department is requested to pass an appropriate order considering the petitioner's reply dated June 06, 2026 (to the notice to show cause) as expeditiously as possible and positively within a period of three weeks from date.

It is clarified that this Court has not gone into the merits of the matter and all points are left open to be urged and decided by the appropriate authority.

WPA/337/2026 stands disposed of. No costs.

(Om Narayan Rai, J.)