

16.09.2020
srm

**W.P.A. No. 6309 of 2020
CAN 1 of 2020 (Old CAN 4802 of 2020)**

(Via Video Conference)

Somnath Sarkar & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Avisek Prasad,
Mr. Rameshwar Sinha

...for the Petitioners.

Mr. Sougata Mitra

...for the Respondent Nos.4 & 5

Mr. Tapan Kumar Mukherjee,
Ms. Tuli Sinha

...for the State.

Affidavit of service is taken on record.

The writ petition is taken up for hearing through video conferencing in view of the urgency.

The application being CAN 1 of 2020 (Old CAN 4802 of 2020) is disposed of.

The petitioners claim to be Group-D staff of Purulia Municipality. It is the contention of the petitioners that their services were confirmed but the pay scale being Pay Band-I along with admissible allowances payable to such confirmed employees of the municipality were not conferred upon them. On the contrary a consolidated remuneration of Rs.2,400/- per month was being paid instead of Pay Band-I.

Aggrieved, the petitioners have made a representation before the Chairperson, Board of Administrators, Purulia Municipality and the Director of

Local Bodies, West Bengal. The petitioners prayed that despite such representation the authorities are sitting tight over the matter and have not decided the issue.

Mr. Tapan Kumar Mukherjee, learned Additional Government Pleader, submits that the petitioners are not entitled to Pay Band-I as their appointments were not in accordance with law and in violation of the Statute. He submits that initial engagements were made without any sanction from the Government. Thus, according to Mr. Mukherjee, the petitioners are not entitled to any scale conferred in respect of the confirmed employees of the municipality.

Having heard the learned Advocates appearing for the respective parties, this writ petition is disposed of with a direction upon the Director of Local Bodies, West Bengal to dispose of the representation dated July 10, 2020 made by the petitioners ventilating their grievances. The said representation shall be disposed of by passing a reasoned order upon hearing a representative of the petitioners, the concerned municipality and all other interested parties. The reasoned order so passed shall be communicated to all concerned. The entire exercise will be completed within a period of eight weeks from the date of communication of this order.

This writ petition is disposed of.

There will be however no order as to costs.

Urgent certified website copies of this order, if applied for, be delivered to the parties, upon compliance of all necessary formalities.

(Shampa Sarkar, J.)