

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 8213 of 2021

Bharati Saha & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Joy Chakraborty
Mr. Sandip Dinda
... For the petitioners

Mr. Ayan Banerjee
Ms. Debarsee Dhamali
... For the State

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

The petitioners have, inter alia, challenged the action of the respondents and in particular respondent no.3 in not considering the representation dated 10th July, 2019 and has also sought for benefits under the memorandum dated 15th July, 2019 issued by the Finance Department, Government of West Bengal.

After hearing the parties and going through the materials on record, I find that the petitioners' representation dated 10th July, 2019 is for considering the regularisation of services of the petitioners who are engaged through a contractor in South Bengal State Transport Corporation (in short "SBSTC"). In the representation, there is no mention about the

implementation of the memorandum dated 15th July, 2019 as the said memorandum was issued admittedly after the representation was made.

In such circumstances, I find that justice will be subserved if I direct the petitioners to make a comprehensive representation ventilating their grievances regarding regularisation of their services and implementation of the memo dated 15th July, 2019 within a time-frame for being considered by the respondent no.4 also within a time-frame after affording the petitioners a reasonable opportunity of hearing.

The writ petition is disposed of by directing the petitioners to file a comprehensive representation for regularisation of their services and implementation of the memorandum dated 15th July, 2019 by 30th December, 2021.

In the event such representation is made, the respondent no. 4 shall consider the same and dispose of the issues ventilated therein by a reasoned order within a period of six months from the date of filing of the representation after affording the petitioners a reasonable opportunity of hearing in adherence to the prevailing Covid-19 protocol.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly without any order as to costs.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Arindam Mukherjee, J.)