

06.01.2021

Ct. No. 24

Item No. 35

pk.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA No. 9745 of 2020

Deb Narayan Seth & Ors.

-vs-

The State of West Bengal & Ors.

Mr. Samiran Mandal,

Mr. upratik Jana

for the petitioners

Mr. Ayan Banerjee,

Ms. Debasree Dhamali

for the respondent nos. 2-4

Mr. Dipayan Kundu,

Mr. P. Deb

for the respondent no. 5

The petitioners are serving as Starter-cum-Ticket Examiner under the South Bengal State Transport Corporation. They draw the attention of the Court to an order dated 27th November 2019 and a further order dated 19th August 2020 whereby the private respondents have been directed to officiate and assigned certain new responsibilities.

The petitioners submit that they stand in the same footing as the employees who have been assigned new responsibilities and their case may also be considered for assigning new responsibilities.

The petitioners made representations before the Managing Director of the Corporation by letter dated 14th February 2020 followed by a notice demanding justice by their learned advocate on 24th July 2020.

The petitioners complain that their representations have not been considered by the respondents till date.

As it appears that the petitioners have already approached the Managing Director of the Corporation demanding justice no useful purpose will be served by keeping the writ petition pending.

The writ petition is accordingly disposed of by directing the respondent no. 3 to consider the representation made on behalf of the petitioners on 24th July 2020, strictly in accordance with law, within a period of eight weeks from the date of communication of a copy of this order. The said respondent shall pass a reasoned order and communicate the same to the petitioners immediately thereafter.

It is made clear that this Court has not gone into the merits of the claim of the petitioners and all points are left open to be decided by the said respondent at the time of consideration of the representation of the petitioners.

As the matter is being disposed of without calling for an affidavit, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

The instant writ petition has been filed by three petitioners by depositing only one court fee.

The learned advocate for the petitioners is directed to deposit the deficit court fees by 7th January 2021. In default, the order passed herein shall be restricted only

in respect of the petitioner no. 1 and the writ petition shall be deemed to be dismissed in respect of the others.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)