

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 6737 of 2022

Sharmi Chakraborty & Ors.
Vs.
The State of West Bengal & Ors.

Mr. R.N. Chakraborty
Mr. Mahaboob Ahmed
... For the petitioners

Mr. Swapa Kumar Datta, AGP
Mr. Tapas Kumar Dey
... For the State

The petitioners are the employees of Centre for Archaeological Studies and Training, Eastern India, a society registered under the West Bengal Societies Registration Act, 1961. In the bye-laws of Centre for Archaeological Studies and Training, Eastern India, clause 15 makes provisions for Provident Fund, Pension, Gratuity and Group Insurance in respect of its employees. The petitioners say that although all other benefits are provided to the petitioners but pension has not yet been sanctioned by the State Government under the pervasive control of which the said Centre for Archaeological Studies and Training functions. The petitioners, therefor, seek introduction of pension in their case.

After hearing the parties and considering the materials on record, I find justice will be sub-served if the Secretary, Department of Information and Cultural

Affairs, Government of West Bengal, being the respondent no.3, is directed to consider and dispose of the representation made by the petitioners on 15th September, 2021, which appears at pages 103 to 107 of the writ petition, by a reasoned order after affording the petitioners an opportunity of hearing within a period of six months from date.

The respondent no.3 shall be free to decide independently on all the issues raised in the representation or may be raised at the time of personal hearing and shall give his decision on all the issues with reasons. The reasoned order so passed shall be communicated to the petitioners within a fortnight from the date of passing of the same.

Although the respondent no.3 is represented through a learned advocate and no further notice is required, but for abundant caution, the petitioners shall serve a copy of the writ petition with all annexures, including the representation dated 15th September, 2021, within a period of ten days from date.

The parties, including the respondent no.3, shall act on the basis of the server copy of this order without insisting upon production of certified copy thereof.

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 by the respondents.

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

(Arindam Mukherjee, J.)