

15.09.2022
Ct. no.21
Sl. No.16
Sanjay

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 20094 of 2022

Rina Bauri & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Madhusudan Mondalfor the petitioners.

Ms. Chaitali Bhattacharyya
...for the State respondents.

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

The writ petitioners claim to have worked as
Immunization Volunteers under the Block Medical
Officer of Health, Kashipur Block, District- Purulia on
daily wages basis.

By a Government Circular dated December 8,
2020 vide No. HFW-35099/44/2020-SFWB/905
issued by the Government of West Bengal, Health &
Family Welfare Department, the monthly consolidated
remuneration of Immunization Volunteers engaged
under the Immunization Programme at the District
level under NHM was revised.

The grievance of the writ petitioners is that they
have not been receiving the revised wages as per the
Government's Circular dated December 8, 2020. The
petitioners made a representation before the Director,
Health & Family Welfare Department on July 22,

2022, but such representation has not been considered till date.

Mr. Mondal, learned counsel appearing for the petitioners submits that such representation should be considered by the Director, Health & Family Welfare Department/respondent no.2.

Ms. Bhattacharyya, learned counsel appears on behalf of the State respondents and submits that the writ petitioners are not entitled to receive remuneration as Immunization Volunteers and they are only entitled to receive remuneration as Children Mobilizer & Vaccine Carrier.

Having considered the rival submissions made on behalf of the parties and the materials placed on record, I direct the Director, Health & Family Welfare Department/respondent no.2 to consider the representation of the petitioners dated July 22, 2022 on the issue whether the writ petitioners are entitled to monthly consolidated remuneration as Immunization Volunteers as stipulated in the office order dated December 8, 2020 or as Children Mobilizer & Vaccine Carrier at the rate fixed in the Government Circular dated June 19, 2020, within eight weeks from date. The circulars have been passed by the Government of West Bengal, Health & Family Welfare Department. Personal hearing is to be given to the petitioners or their authorized representatives before passing of a reasoned order. The reasoned order shall be communicated to the

petitioners within one week from the date of passing of the same.

Since no affidavit have been called for in the instant writ petition all the allegations made therein are deemed not to have been admitted by the respondents.

With the aforesaid directions, the writ petition being **WPA 20094 of 2022** is **disposed of**.

There will be no order as to costs.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Hon'ble Court.

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

(Lapita Banerji, J.)