

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 26699 of 2022

Calcutta Tramways Company
Pensioners' Association
Vs.
The State of West Bengal & Ors.

Mr. Shayan Chakraborty,
Mr. Amartya Basu For the petitioner.

Mr. Pinaki Dhole,
Mr. Avishek Prasad ... For the State.

Mr. Niladri Bhattacharjee,
Ms. Deblina Chattaraj ... for WBTC Ltd.

The petitioner is an association of pensioners who were formerly employees of the West Bengal Transport Corporation (in short, WBTC) formerly known as the Calcutta Tramways Company (1978) Limited.

The petitioner's grievance is that the employees who retired after January 01, 2016 are being given benefits of the commuted value of pension restored 15 years after retirement. However, the employees who retired before January 01, 2016 have not been given such benefits.

Mr. Chakraborty, learned counsel appearing on behalf of the petitioner submits that there is arbitrary distinction sought to be drawn between the employees retiring before and after January 01, 2016 should be obliterated. There is no difference in the status of the employees retiring after January 01, 2016. Therefore, the employees retiring before January 01, 2016 should be

considered at par with the employees retiring after January 01, 2016.

Several representations have been made by the petitioner, Association. He prays for consideration of the representations dated September 7, 2021, November 24, 2021 and April 12, 2022.

Mr. Bhattacharjee, learned counsel appearing on behalf of the respondent/Corporation submits the said representations may be considered as per the extant rules and policies of the WBTC. He further submits that the list of members of the Association retiring before January 1, 2016 should be forwarded to the respondent concerned for effectively adjudicating the issue.

Having considered the rival submissions of the parties and the materials placed on record, this Court finds that justice will be sub-served, in the event, the Managing Director, WBTC/respondent no.2 is directed to consider the representations of the petitioner dated September 7, 2021, November 24, 2021 and April 12, 2022 within a period of eight weeks from date. Let a reasoned decision be communicated to the petitioner within two weeks of passing thereof.

Since no affidavits have been directed to be exchanged in the said writ petition, all the allegations contained therein, are deemed not to have been admitted

by the parties.

With the aforesaid directions, the writ petition, being **WPA 26699 of 2022**, is **disposed of**.

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.)

