

53.
27.7.2023
S.D.

W.P.A. 1020 of 2023

**Dinabandhu Nandan & Ors.
Vs.
State of West Bengal & Ors.**

Mr. Arka Maiti
Ms. Ambiya Khatun

..For the Petitioners

Mr. Soumish Ghosh

..For the Respondent Nos. 2 & 3

Exception to the Report on Affidavit is retained with the records.

The petitioners claim to be daily rated workers who were engaged with State Fisheries Development Corporation Limited (SPDCL). The petitioners' grievance is that despite rendering continuous service, they have not been paid wages/salary from June 2022 onwards.

From a document dated February 5, 2021 issued by the Managing Director to the Principal Secretary, Fisheries Department, it appears that there was a requirement for engagement of daily rated workers/casual staff in the SFDCL, for completion of work in a timely manner.

The claim of the petitioners is not in dispute. Since there was no further requirement of daily rated workers at the project where the petitioners were working at Pathra Fishery

Project, the petitioners were directed to join another Pisciculture Project by an order dated November 24, 2022.

It further appears from the Report on Affidavit that due to financial crunch, the wages/salary of the petitioners have not been paid by the authority concerned. It has been sought to be contended in the Report that till such time funds are generated by the Corporation, the wages of the petitioners can be put on hold.

On the previous occasion, an accommodation is sought for on behalf of Ms. Das, representing the respondent Corporation. Such prayer was considered and allowed. Again an accommodation is sought for on her behalf today. This Court is not inclined to grant such prayer.

Considering the submissions made by the petitioners and the materials placed on record, this Court is of the view that arrears of wages/salaries of the petitioners have to be released by the Respondent Corporation. The same cannot be kept pending indefinitely by citing financial difficulties. An accommodation is sought for again and again on behalf of the respondent Corporation to delay the legitimate dues of the petitioners.

In such view of the matter, this Court directs the arrears of wages/salaries be paid by the Respondent Corporation

within three months from the date of the order for the period between June 2022 and November 2022 (when the transfer order was made).

With the directions aforesaid, **W.P.A. 1020 of 2023** is **disposed of**.

All parties shall act on the server copy of this order duly downloaded from the official **website** of this Court.

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

(Lapita Banerji, J.)