

15.12.2023

Ct. 35

Sd. 28.

WPA 1197 of 2022

Sasanka Maity & Ors. Vs. State of West Bengal & Ors.

Mr. Kamal Mishra

..For the petitioners.

The writ petitioners are aggrieved with the alleged discrimination made by the respondent authorities in implementing the benefits under Circular No. 162/MA/O/C-9/2A-1/2000 dated 23.04.2010, in their case.

It is submitted by the learned counsel for the petitioners that the petitioners have been engaged with respondent no. 5, Contai Municipality as casual workers for several years. They have been serving continuously and uninterruptedly during this period. He submits that the writ petitioners would be eligible under the said Government Notification dated 23.04.2010 to be granted the benefit as prescribed therein. He indicates that on the similar ground of having complied with the criteria, other private respondents in this writ petition, who are similarly circumstanced, as the writ petitioners, have been granted benefits by the respondent no. 5, depriving the present writ petitioners from the benefit thereunder.

No one is appearing for the respondents when the matter is called on.

For this reason there is no denial or dispute with regard to the case of the writ petitioners. Thus the authority's action is found to be discriminatory and unreasonable, on the premises as above.

Let this writ petition be disposed of with direction upon the writ petitioners to submit a comprehensive representation before the respondent no. 2, the Director of Local Bodies, Government of West Bengal.

Let the said respondent dispose of the same with a reasoned order after affording opportunity of hearing to the writ petitioners and any other person as he may think fit and proper.

All the exercises as above, shall be concluded within a period of six weeks from the date of submission of representation, if any, by the writ petitioners.

With the above directions, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties on priority basis, if applied for.

(Rai Chattopadhyay J.)

