

23.03.2023
DL-48
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 5113 of 2023

Dilip Kumar Sarkar & Ors.
Vs.
The North Bengal State Transport
Corporation & Ors.

Mr. Sufi Masih Aftab
....for the petitioners.

Mr. Amal Kumar Sen, AGP,
Mr. Sabyasachi Mondal
....for NBSTC.

Affidavit of service filed in Court today be retained with the records.

The petitioners' grievance is that they have not been given the benefits of the second Career Advancement Scheme (CAS), 1990 despite rendering 20 years of continuous service.

Mr. Aftab, learned counsel appearing on behalf of the petitioners submits that the respondent no.5 who is similarly circumstanced as the petitioners have been given the benefits of second CAS, but the petitioners have been deprived. The petitioners have made representations since September 23, 2020, but such representations have not yet been considered. The petitioners also made demand for justice on March 22, 2022. Such demand for justice has also not been responded to.

Mr. Sen, learned Additional Government Pleader appears on behalf of NBSTC/respondent nos.1 & 2.

Considering the submissions of the parties and the materials placed on record, this Court is of the view that justice will be sub-served by directing the respondent no.2 or any other officer delegated by him to consider the representations of the petitioners in terms of the extant rules and policies by 6 weeks from date and pass a reasoned order thereon upon giving a personal hearing to the petitioners. Such reasoned order shall be communicated to the petitioners within 2 weeks of passing thereof. In considering the representations of the petitioners, the respondent no.2 will take into account the benefits given to the private respondent no.5.

With the directions aforesaid, **WPA 5113 of 2023 is disposed of.**

Since no affidavits have been called for in the writ petition, the allegations contained therein are deemed not to have been admitted by the respondents.

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.)