

WPA 7965 of 2023

Debesh Paul & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Susanta Pal.

.....for the petitioner

Mr. Himadri Sikher Chakraborty,

Mr. Subhandu Sengupta.

...for the State respondent

Ms. Sristi Paul.

... for the respondent Corporation

Affidavit-of-service filed in Court today is retained with the record.

The petitioners' pray for disbursement of arrears of benefits as per the revised emoluments and benefits given by the Finance Department, Government of West Bengal vide memorandum dated February 25, 2016.

The said memorandum of the Government of West Bengal relating to the contractual/casual/daily rated workers was extended by the Deputy Managing Director of the Calcutta State Transport Corporation (CSTC) vide office order dated May 12, 2016. The said memorandum dated February 25, 2016 issued by the Government of West Bengal was adopted by the Joint Managing Director, West Bengal Surface Transport Corporation Limited (WBSTCL) on November 2, 2016.

Mr. Pal, learned Counsel appearing on behalf of the petitioners submit that they have been working in different capacities as drivers, conductors BC/TC, peon with the WBSTCL.

By an order dated February 4, 2021 passed by a Coordinate Bench of this Hon'ble Court in WPA 40 of 2021 **(Raju Das & Ors. vs. State of West Bengal & Ors.)**, the grievance of the petitioners therein/contractual employees of WBSTCL was directed to be considered in respect of getting the revised pay benefits from April 1, 2016 to October 31, 2016. The said representation was considered by the Joint Managing Director, WBSTCL and the petitioners in WPA 40 of 2021 were given the benefits of the revised pay benefits from April 1, 2016 to October 31, 2016.

Therefore, it is submitted by Mr. Pal, learned Counsel that the petitioners being similarly placed should be disbursed similar revised pay benefits.

Considering the submissions made by the parties and materials placed on record, this Court is of the view that the representation of the petitioners dated December 12, 2022 should be considered by the respondent no. 5/ the Managing Director, West Bengal Transport Corporation Limited or any other authority delegated by him within a period of eight (8) weeks from date, upon giving a personal hearing to the petitioners.

A reasoned order shall be passed and communicated to the petitioners within two (2) weeks of passing thereof.

While consider the representation of the petitioners, the respondent no. 5 or any other authority delegated by him shall take into consideration, the order dated February 4, 2021 passed by the Hon'ble Coordinate Bench and also the document annexed at page 104 of the writ petition whereby the petitioners in WPA 40 of 2021 have been released the revised pay benefits from April 1, 2016 to October 31, 2016.

With the directions as aforesaid, **WPA 7965 of 2023 is disposed of.**

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

All parties are directed to act on a server copy 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.)