

WPA 9187 of 2023

Sanjoy Kundu & Ors
Vs.
State of West Bengal & Ors.

Mr. Susanta Pal

....for the petitioners

Ms. Chaitali Bhattacharya

Mr. Mrinal Kanti Biswas

....for the State

Ms. Sriti Paul

....for the WBTCCL

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

Memo dated April 28, 2023 issued by the Joint Managing Director, WBTCCL to the Additional Secretary, Transport Department seeking approval for the funds for granting of arrears of benefits to the remaining 290 employees of the Corporation is handed over in Court today on behalf of the WBTCCL, is retained with the records.

The petitioners are contractual employees working with the West Bengal Transport Corporation Limited (WBTCCL). 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. By the said

memorandum the contractual/casual/daily rated employees were to be given monthly remuneration at the revised rate with effect from March 1, 2016. The Managing Director, WBSTCL vide Memo dated November 2, 2016 extended such benefits to its employees from November 1, 2016. The said extension from November 1, 2016 is under challenge.

Mr. Pal, learned counsel appearing on behalf of the petitioners submits that they have been working in different categories as Group –‘C’ employees with 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 March 1, 2023 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 considering 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 documents annexed at page 132 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 9187 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 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)