

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 14699 of 2023

Md. Jamaluddin & Ors.
v.
The State of West Bengal & Ors.

Mr. Kamalesh Bhattacharyya
Mr. Bidhan Biswas
Mr. Tapas Chatterjee
... For the petitioners

Mr. Rezaul Hossain
... For the State

Md. Sarwar Jahan
Ms. Mousumi Mitra
Mr. Asif Mehdi
... For the respondent no.4

Affidavit of service filed in Court today is taken on record.

Thirty-nine numbers of writ petitioners are before this Court in this single writ petition. The issue regarding payment of individual court fees whether required had already been settled by a Division Bench of this Court in the matter of **Smt. Parul Debnath & Ors. v. The Union of India & Ors.** reported at **2006 (1) CLJ (Cal.) 621**, holding that no individual court fees are required to be paid.

The petitioners were engaged as Samprasarakas/ Samprasarikas in different Madhyamik Siksha Kendras (MSKs) for a period of one year and in that regard

agreements were executed with them. The engagement was renewed from time to time on contractual basis.

The petitioners, in terms of the notification dated May 2, 2008 issued by the Department of Panchayats and Rural Development, Government of West Bengal, claimed the benefit for being age of superannuation upto 65 years.

In an identical writ petition, a Coordinate Bench of this Court by its **judgment and order dated May 19, 2023** delivered in **WPA 12057 of 2023 (Susampad Das & Ors. v. The State of West Bengal & Ors.)** allowed the benefit in favour of the writ petitioners.

Mr. Rezaul Hossain, learned advocate appeared for the respondent nos.1 to 3.

Md. Sarwar Jahan, learned advocate appeared for the respondent no.4.

Both the learned advocates appearing for the respondents had submitted that no appeal was carried out from the said order dated May 19, 2023 and the State authorities had carried out the said decision of the Coordinate Bench and allowed the claim of the petitioners.

On reading of the said judgment and order dated May 19, 2023, I am also in respectful agreement with the same.

In view of the above, in the light of the said judgment dated May 19, 2023 delivered **in the matter of**

Susampad Das (supra), this writ petition stands allowed to the extent the right of the petitioners was decided in the said judgment.

With the above observation, this writ petition, **WPA 14699 of 2023**, stands **disposed of**, without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously, on compliance of usual legal formalities.

(Aniruddha Roy, J.)