

Court No. 22
12.7.2023
(Item No. 45)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side
W.P.A. 15542 of 2023

Pradip Kumar Das & Ors.
VS
The State of West Bengal & Ors

Ms. Gopa Biswas
Ms. Payel Shome
.... For the petitioners
Mr. Rezaul Hossain
.... For respondent Nos. 1-4
Md. Sarwar Jahan
Ms. Mousumi Mitra
Mr. Asif Mehdi
.... For respondent Nos. 5 & 6

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

Thirteen 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 up to 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 4.

Md. Sarwar Jahan, learned advocate appeared for the respondent Nos. 5 & 6.

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 15542 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.)