

28-11-2023
ct no. 13
Sl. 1
sp

WPA 19644 of 2022
With
CAN 2 of 2023
Haran Chandra Das & Ors.
-Versus-

The State of West Bengal & Ors.

Ms. Shraboni Sarkar

...for the petitioners

Mr. Tapan Kumar Mukherjee, Id. A.G.P.,
Mr. Somnath Naskar

... for the State

1. Modification is sought in the order dated September 18, 2023 by which certain benefits of engagement and arrears were directed to be paid to the petitioner nos. 1 to 10. The engagement and payment were to be made by the Additional Chief Secretary, Animal Resources Development Department.
2. The facts and circumstances of the case are indicated in substantial detail in the order dated September 18, 2023. The instant application has been made by the petitioner nos. 11 and 12.
3. Counsel for the petitioners submits that they have been impleaded before the order dated September 18, 2023 was passed as petitioners in the main writ petition. It is submitted that due to an oversight in the last

line of the third paragraph of the sixth page of the order, only the petitioner nos. 1 to 10 have been mentioned and the petitioner nos. 11 and 12 have been excluded. Since the petitioner nos. 11 and 12 are similarly situated as the petitioner nos. 1 to 10, they are entitled to the same benefits as the petitioner nos. 1 to 10.

4. Counsel for the petitioners, however, indicates that the petitioner nos. 11 and 12 were not parties to WPA 326 of 2014 based on which the order dated September 18, 2023 has been passed.
5. However, this Court finds that since the petitioner nos. 11 and 12 are similarly situated as that of the petitioner nos. 1 to 10, the said order dated September 18, 2023 is modified as follows,

The last line of the third paragraph of the sixth page of the order dated September 18, 2023 shall stand corrected to read as “the petitioner nos. 1 to 12” instead of “petitioner nos. 1 to 10.”

6. Learned counsel for the State submits that the said order dated September 18, 2023 has been challenged in appeal before a Division Bench of this Court in MAT 2163 of 2023.

7. The aforesaid order shall be subject to any order that may be passed in the aforesaid MAT 2163 of 2023.
8. With the aforesaid observations, CAN 2 of 2023 shall stand disposed of.
9. There shall be no order as to costs.
10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)