

14.9.2023
(Item No. 19)

W.P.A. 20999 OF 2023

Sc

Pabitra Samanta & Ors.
-Vs-
The State of West Bengal & Ors

Mr. Firdous Samim
Ms. Gopa Biswas.
.... 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.

There are nineteen writ petitioners. The claim
may be identical but the causes of action are
separate, independent and different. Hence, all the
writ petitioners shall have to pay the necessary *ad
valorem* court fees individually. Subject to payment of
individual court fees by all the writ petitioners, this
order shall be effected.

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 20999 of 2023**, stands ***disposed of***, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously

(Aniruddha Roy, J.)