

Court No. 22

13.9.2023

(Item No. 27)

(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 21262 of 2023

Nandita Sen Biswas & Ors.
VS
The State of West Bengal & Ors.

Mr. Bidhan Biswas
.... For the petitioners
Mr. Bhaskar Prasad Vaisya
Mr. Nirmalya Roy
.... For the State
Mr. Sarwar Jahan
Ms. Mousumi Mitra
Mr. S. N. Thander
..... for respondent No. 4

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

The petitioners have already paid the necessary individual Court fees as there are Sixty-nine individual writ petitioners. The payment acknowledgment handed over to this Court is taken on record.

The petitioners were engaged as Samprasaraks/ 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. Bhaskar Prasad Vaisya, learned Additional Government Pleader 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 21262 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.)