

17.10.2023

Item No. 22

Sc

**W.P.A. 22473 OF 2023**

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Pradip Kumar Kuila

-Vs-

The State of West Bengal & Ors

Mr. Arindam Chattopadhyay

Ms. Lipika Chatterjee

Ms. Tapati Saha.

.... For the petitioner

Mr. Rezaul Hossain

.... For the State

Md. Sarwar Jahan

Mr. S. N. Thander

.... For respondent No. 4

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

The petitioner was engaged as Samprasarak in Madhyamik Siksha Kendra (MSK) for a period of one year and in that regard agreement was executed with them. The engagement was renewed from time to time on contractual basis.

The petitioner, 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 State respondents.

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 petitioner.

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 petitioner was decided in the said judgment.

With the above observation, this writ petition, **WPA 22473 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.)**