

17.
05.10.2023
S.D.

W.P.A. 23078 of 2023

**Shri Raju Chakraborty & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Susanta Pal

...For the Petitioners

Ms. Deblina Chattaraj

Ms. Angana Dutta

..For the Respondent Corporation

Mr. Arjun Roy Mukherjee

Mr. Rezaul Hossain

...For the State

The petitioners are Group-C employees of the West Bengal Surface Transport Corporation Limited (WBSTCL). The petitioners are rendering service like regular the employees appointed in the said posts. The duties, responsibilities and duration of work are same like the regular employees. By a Memorandum dated February 25, 2015, the Principal Secretary, Department of Finance, Government of West Bengal intimated that all contractual/casual/daily rated workers shall continue their engagement upto 60 years.

On the basis of the Memorandum dated February 25, 2016, the contractual employees of CSTC are getting revised remuneration with effect from April 1, 2016, but the contractual employees of WBSTCL were not getting the

revised pay from April 1, 2016. They were getting the revised pay with effect from November 1, 2016. Challenging the inaction on the part of the authorities concerned, some of the employees who were similarly situated with the petitioners filed a writ petition being W.P.A. 40 of 2021. A Coordinate Bench of this Hon'ble Court passed an order of February 4, 2021 whereby WBTCCL was requested to consider the petitioners' prayer for revised benefits for the period between April 1, 2016 till October 31, 2016. The authorities were directed to release the said amount, if the employees were found eligible for the same.

Mr. Pal, learned counsel appearing on behalf of the petitioners submits that benefits were released by WBTCCL pursuant to the order dated February 4, 2021 in favour of the petitioners in W.P.A. 40 of 2021, on November 21, 2022. He submits that such benefits should be given to the petitioners.

Ms. Dutta, learned counsel appears on behalf of the WBTCCL.

Considering the submissions of the parties and the materials placed on record, this Court directs the Managing Director, WBTCCL to consider the representation of the petitioner dated May 2, 2023 for getting revised benefits within a period of 8 weeks from date upon giving a personal

hearing to the petitioners or their representatives. A reasoned order shall be passed and communicated to the petitioners within two weeks thereof. If the petitioners are found eligible, such benefits will be disbursed to the petitioners within three months from the date of passing of the reasoned order.

With the directions aforesaid, **W.P.A. 23078 of 2023** is **disposed of.**

Since no affidavits have been directed to be exchanged in the present writ petition, all the allegations contained in the present petition are deemed not to have been admitted by the parties.

All parties shall act on the server copy of this order duly downloaded from the official **website** of this Court.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all the formalities.

(Lapita Banerji, J.)