

ML-55

13.07.2023
Court No.5
(AD)

WP.ST 141 of 2018

**Sailen Ghosal & Ors.
Vs.
The Secretary, Department of Finance, Government
of West Bengal & Ors.**

*Mr. Partha Sarathi Das
Md. Hafiz Ali
Ms. Shanta Sarkar*

... for the petitioners.

Petitioners assail the order dated June 28, 2018 passed in CCP 38 of 2017.

In CCP 38 of 2017 petitioners alleged that, the authorities violated the order dated November 22, 2016 passed in OA 734 of 2016.

Relevant portion of the order dated November 22, 2016 passed in OA-734 of 2016 is as follows:

“When the Superintendent of Police, Murshidabad has already referred the matter to the higher authority for approval in terms of the G.O., we dispose of this application, as prayed for, by directing the Superintendent of Police, Murshidabad to follow it up and ensure that the prayer of the applicants has been considered properly in terms of the government order, within a period of three months from the date of communication of the order.”

In the impugned order, the Tribunal considers the fact that the authorities took a decision and that, the writ petitioners were being paid at a particular rate.

Learned Advocate appearing for the writ petitioners submits that, the Government order was not communicated to the writ petitioners at least before the Tribunal.

We are concerned with the alleged violation of the order dated November 22, 2016.

As quoted above, the order required consideration by the authorities with regard to enhancement which the authorities considered. The writ petitioners may or may not be content with the consideration. However, it cannot be said that the authorities acted in violation of the order dated November 22, 2016.

In such circumstances, we find no merit in the present writ petition.

WP.ST 141 of 2018 is disposed of without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

