

13.10.2023
Item No. 26
Crt.No.22
A.B.

WPA 24305 of 2023

Kinkar Parai & Ors.

-vs-

The State of West Bengal & Ors.

***Mr. Krishna Pada Santra
Mr. Aninda Bhattacharya
..... for the petitioners.***

***Mr. Sarwar Jahan
Ms. Mousumi Mitra
Mr. S.N. Thander
.... For the respondent no.4.***

***Md. Syed Nazmul Hossain
Mr. Rezaul Hossain
.... For the State.***

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

The petitioners have already paid the necessary individual Court Fees, as there are three individual writ petitioners.

The petitioners were engaged as **Samprasaraks 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 Co-ordinate Bench of this Court by its **judgement 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 State advocate 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 co-ordinate Bench and allowed the claim of the petitioners.

On reading of the said judgement 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 judgement 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 judgement.

With the above observations, this writ petition, **WPA 24305 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.)