

17.10.2023

Item No. 24

Sc

W.P.A. 24746 OF 2023

Sukumar Samanta & Ors.

-Vs-

The State of West Bengal & Ors

Mr. Bidhan Biswas

.... For the petitioners

Mr. Rezaul Hossain

.... For respondent Nos. 1 to 3

Md. Sarwar Jahan

Ms. Mousumi Mitra

Mr. S. N. Thander.

.... For respondent No.4

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

There are thirty-nine individual writ petitioners. Today, learned counsel for the petitioners has produced the receipts showing payment of individual court fees. Therefore, this order shall be effected for all the thirty-nine writ petitioners.

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 engagements were 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 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. Ranjan Saha, learned counsel appears for the respondent nos. 1 to 3.

Md. Sarwar Jahan, learned counsel appears 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 24746 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.)