

Court No. 22
12.12.2023
(Item No. 162)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side
W.P.A. 26824 of 2023

Rajkumar Mandal & Ors.
VS
The State of West Bengal & Ors.

Mr. Rajendra Banerjee
Mr. Joy chakraborty
Mr. Subhendu Roy Choudhury
Ms. Ipsita Ghosh
..... for the petitioners
Mr. Shamim Ul Bari
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.

There are 9 writ petitioners.

This order shall be effected subject to payment
of Court fees by individual petitioners in accordance
with law.

Mr. Rajendra Banerjee, learned counsel for
the petitioners undertakes to pay the Court fees
immediately.

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 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. Shamimul Bari, learned advocate with Mr. Rezaul Hossain, learned State advocate appeared for 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 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 judgement dated **May 19, 2023** delivered **in the matter of: Susampad Das (supra)**, this writ petition 2 stands allowed to the extent the right of the petitioners was decided in the said judgement.

With the above observations, this writ petition, **WPA 26824 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.)