

12-06-2023
Court No.2
bm/70.

**In The High Court At Calcutta
Jalpaiguri Circuit Bench**

W.P.A. 577 of 2023

**Sukumar Das and Ors.
Vs.
State of West Bengal & Ors.**

Mr. Nabankur Paul
....for the Petitioners
Mr. Subir Saha
Mr. Momenur Rahaman
...for the State

This is an application under Article 226 of the Constitution of India praying for a direction upon the respondent authorities, particularly, respondent nos.5 and 6, to provide service benefits at par with the State government employees, to give effect to the 5th Pay revision and 6th Pay revision, fix their pay scale, release 10%D.A. with effect from 1st January 2017 to August, 2017, 15% D.A. with effect from January 2018 and 25% D.A. with effect from 1st January, 2019, sanctioning the unpaid ex gratia and releasing gratuity.

Learned counsel appearing on behalf of the petitioner submits as follows. The

Petitioners were the employees of Himalyan Co-operative Milk Producers Union Limited. Some times later, Himalyan Co-operative Milk Producers Union Limited was taken over by the Mother Dairy, Calcutta, Matigara Unit and there was re-deployment of manpower of Himalyan Co-operative Milk Producers Union Limited. Certain sums fell due to the petitioners. Accordingly, they made representations claiming such benefits. This finally culminated into the present writ petition.

Learned counsel appearing on behalf of the respondent nos. 5 and 6 submits that the prayers of the petitioners as made in the writ petition and their earlier representations are under active consideration of the respondent authorities. The same would be decided within a stipulated time. As would be evident from the order dated 28.09.2021 passed by this Court in W.P.A. 111 of 2021, the Principal Secretary, Animal Resources Development, Government of West Bengal had principally agreed to similar proposal. Therefore the petitioners' prayer could be finally considered

within a stipulated time, say within a period of sixty days.

I have heard the learned counsel appearing on behalf of the parties and have perused the writ petition.

It appears that the representation and the prayer made by the petitioner in this writ petition are being considered by the respondent authorities. A prayer is made to grant some more time to pass necessary direction.

In view of the above and for the ends of justice, this writ petition is disposed of by directing the respondent nos. 5 and 6 to consider the representation of the petitioners within sixty days from this date and communicate the result to the petitioners within a fortnight of the decision.

With these observations, the writ petition is disposed of.

Urgent xerox certified copy of this order, if applied for, be supplied on priority basis.

(Jay Sengupta, J.)