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16.02.2024
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

**W.P.A 873 of 2024
IA No. CAN 1 of 2024**

**Manisankar Ghosh & Anr.
-versus
The State of West Bengal & Ors.**

**Mr. Anjan Bhattacharya,
Ms. Anita Shaw.
...For the Petitioners.**

The petitioners submit that they are similarly placed as the writ petitioners in WPA 22963 of 2023 (Tathagata Saha & Ors. –vs- The State of West Bengal & Ors.).

The petitioners claim similar relief as granted by the Court in the matter of Tathagata Saha (supra).

It has been submitted that despite order being passed by this Court in the aforesaid writ petition on 27th September, 2023, the Panchayat authority are not permitting the Trainee Computerized Accounts Assistants in the Gram Panchayats to perform their duty. It has been submitted that the Panchayats are insisting upon Court's order being passed in respect of each and every employee of the Gram Panchayat separately.

When the Court has decided an issue and passed order, then the said order ought to apply equally in respect of all similarly circumstanced persons. The

Panchayat authorities ought not to insist upon Court's order being passed in favour of each and every employee separately. This leads to multiplicity of proceedings which the authorities ought not to promote.

In view of the above, the instant writ petition is disposed of by directing that the order dated 27th September, 2023 passed in the matter of Tathagata Saha (supra) shall be applicable in respect of the present three petitioners.

The OSD and EO, Special Secretary, Department of Panchayat and Rural Development is directed to circulate this order to all the District Magistrates who would forward the same to all the Gram Panchayats so that similar objection is not raised by the Panchayats in future. The Panchayats are directed to take steps in accordance with the order dated 27th September, 2023 passed in the matter of Tathagata Saha (supra).

The instant writ petition has been filed by two writ petitioners by depositing only one Court fees. An application for addition of party has been filed by a separate employee claiming to be similarly circumstanced as that of the two writ petitioners. The applicant in the connected application is added as petitioner.

Learned advocate for the petitioners is directed to deposit the deficit Court fees in respect of two writ petitioners in the course of the day. It is made clear that in the event, the deficit Court fees are not paid, the order passed herein will be restricted only in respect of the petitioner no. 1 and the writ petition shall be deemed to have been dismissed in respect of the others.

The writ petition and the connected application stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)