

27.06.2024
Sl. No.11
(PP)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 5682 of 2024

Abdul Mazid & Ors.
Vs.
The North Bengal State Transport
Corporation & Ors.

Mr. Sufi Masih Aftab
.....for the petitioners.
Mr. Amal Kumar Sen,
Mr. Sabyasachi Mondal
....for NBSTC.

The petitioners are retired employees of North Bengal State Transport Corporation (in short, NBSTC) though their date of joining and superannuation are different as will appear from the paragraph 3 of the writ petition. The petitioners complain that they have not been given the benefits of the 2nd Career Advancement Scheme (in short, CAS) which became due after completing 20 years of service. The petitioners also say that the private respondent (respondent no.4), although similarly circumstanced to that of the petitioners, has been given the benefit of 2nd CAS. The petitioners have made several representations which have not been responded to by their employer/NBSTC.

After hearing the parties and considering the materials on record, I find that no mandatory direction for granting the benefits of 2nd CAS to the petitioners can be passed as prayed for in the writ petition. However, the grievances of the petitioners are required to be considered and brought to a logical conclusion.

Let the representation dated 5th February, 2024 made by the petitioners appearing at pages 28 to 31 of the writ petition be disposed of by the respondent no.2 (Managing Director of NBSTC) by a reasoned order within a period of 3 months from date.

The respondent no.2, if necessary, will call the petitioners for a personal hearing. The respondent no.2 shall decide on all issues which may surface from out of the representation independently and without being influenced by any observation made in this order.

It is made clear that this Court has not gone into the merits of this case.

Since this order is passed in the presence of the respondent no.2, no further communication of this order is necessary. However, by way of abundant caution, the petitioners shall serve a copy of the instant order along with the copy of the writ petition upon the respondent no.2 by 5th July, 2024.

Nothing further remains to be adjudicated in this writ petition. The same is accordingly disposed of.

Since I have not called for any affidavits, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Arindam Mukherjee, J.)