

20.05.2024
Ct. No. 2
Sl. No. 45
Moumita

WPA 14209 of 2024

Asim Kumar Dey and Ors.
Vs.
The State of West Bengal & Ors.

Mr. L. Mondal
Mr. Dilip Kumar Sadhu
....for the Petitioner

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
....for the WBCSSC

Md. Sarwar Jahan
Ms. Tapati Sarkar
....for the Respondent Nos. 5 & 6.

There are fourteen individual writ petitioners. Subject to payment of court fees by all the individual writ petitioners by tomorrow, this order shall be effected. Affidavit of service filed today is taken on record.

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 petitioner, 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 (Susampada Das & Ors. V.**

The State of West Bengal & Ors.) allowed the benefit in favour of the writ petitioners.

Mr. Rezaul Hossain, learned advocate appeared for the respondent nos. 1 to 4.

Md. Sarwar Jahan, learned advocate appeared for the respondent Nos. 5 and 6.

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 Susamapad 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 14209 of 2024** 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.)