

W.P.A. 19394 of 2018

**Safikul Islam & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Ekramul Bari
Mr. Syed Mansur Ali
Sk. Imtiaj Uddin

.....for the petitioners

Mr. Jayanta Samanta
Mr. Kushal Biswas

....for the State

The writ petition has been filed basically for undergoing training for being engaged as Additional Pranibandhu of Nabagram Block as it appears from memo dated 31st July, 2018 issued by the Block Livestock Development Officer, Nabagram, Murshidabad which is at page 88 of the writ petition.

However Mr. Ekramul Bari, learned advocate representing the petitioner submits that the training was not started due to subsistence of interim order dated 17th April, 2015 passed by a coordinate Bench on a writ petition being WPA 326 of 2014. It is also stated that petitioners were selected to be engaged as Additional Pranibandhu on imparting training. Now the contention of the petitioners is the interim order dated 17th April, 2015 was vacated vide final order dated 16th December, 2021 passed by the coordinate Bench on the writ petition

being WPA 326 of 2014. Therefore, there is no impediment in imparting training to the petitioners.

However, it has been submitted on behalf of the petitioners by Mr. Bari, learned advocate that in view of the order dated 16th December, 2021 passed by the coordinate Bench restricting engagement of the petitioners and supporting respondents who were parties to the proceeding in connection with the writ petition being WPA 326 of 2014; petitioners in this writ petition may not be engaged as Additional Pranibandhu, if they are imparted training in that event that would help them to find out suitable work on the basis of such training.

Mr. Jayanta Samanta, learned advocate representing the State-respondents has filed a report in the form of affidavit affirmed by Assistant Project Director (Admin), Paschim Banga Go-Sampad Bikash Sanstha on 21st January, 2024 and the same is taken on record.

It is submitted on behalf of the State-respondents that previously writ petition was filed being WPA 326 of 2014 and on the said writ petition an interim order was passed on 17th April, 2015 restraining the concerned respondents from making further recruitment and it was also directed that if any appointment is made, shall abide by the result of the writ petition which led the Block Livestock Development Officer concerned to issue memo dated 31st July, 2018 not permitting the petitioners to go

for training. Ultimately the interim order dated 17th April, 2015 got vacated vide order dated 16th December, 2021 passed by the coordinate Bench on the said writ petition being WPA 326 of 2014.

According to the State-respondents, the benefit which was given by engaging as Pranibandhu was restricted to the petitioners and supporting respondents in connection with the writ proceeding being WPA 326 of 2014 and the connected contempt proceeding. Therefore, benefit of engagement Pranibandhu/Additional Pranibandhu on imparting training to the petitioners is no more available.

It is also submitted that the scheme which was funded by the Central Government was stopped after 2014. Therefore, according to the State-respondents, if training is imparted to the petitioners, that will not enure to the benefit of the petitioners.

It appears on behalf of the petitioners a specific stand is taken as submitted by Mr. Bari, learned advocate that in view of the order dated 16th December, 2021 petitioners may not be engaged as Additional Pranibandhu but if training is imparted to them that would help them to find out suitable alternative work. This Court is aware of the fact since submission is made on the State-respondents that scheme has been stopped after 2014.

It is also settled position by virtue of the order dated 16th December, 2021 that the benefit of engagement which has been extended is restricted to the writ petitioners and supporting respondents in connection with the writ proceeding being WPA 326 of 2014 and the connected contempt proceeding; therefore, such benefit cannot be extended in favour of the petitioners at this stage.

However, before parting, with this Court directs the concerned respondent authorities to impart training to the present petitioners if the said scheme is continuing as on date, but the petitioners on getting training shall not lodge any claim for being engaged as Pranibandhu/Additional Pranibandhu under the said scheme keeping note of the order dated 16th December, 2021 passed by the coordinate Bench on the writ petition being WPA 326 of 2014.

Accordingly, the writ petition stands disposed of

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)