

19.03.2024.
Court No.13
Item No. 33
pk

W.P.A. No. 25957 of 2023

**Prabir Kumar Maity and another
Versus
State of West Bengal and others**

Mr. Arup Kumar Lahiri,
Mr. Udayan Datta

...For the petitioners.

Mr. Ayan Banerjee

... For the respondent no. 3.

Mr. Suman Ghosh,
Ms. Munmun Tewary

... For the respondent nos. 1 and 2.

Mr. Saikat Banerjee

... for the Registrar General, High Court
at Calcutta .

Mr. Sourav Mandal,
Ms. Esha Das,

... for the Accountant General.

1. The learned advocate for the District Judgeship, Purba Medinipur has produced a list of employees, who had held the post as Sheristadar from 2003 to 2019.
2. An application made by one Rajib Majumdar, asking for switch over to the post of Chief Administrative Officer with effect from 01.04.2016 is under consideration.
3. It is submitted by Mr. Ayan Banerjee, learned advocate for the District Judgeship, Purba Medinipur, that in all probabilities the petitioners

would get the benefit that Rajib Majumdar is likely to get.

4. Insofar as the entitlement to the post of Chief Administrative Officer after switch over to the ministerial side by the Stenographers under the District Judgeship, it is submitted by Mr. Ayan Banerjee, learned advocate that the issue has been referred for the opinion of the High Court.
5. Mr. Saikat Banerjee, learned counsel for the High Court at Calcutta submits that such switch over is permitted and the post of Sheristadar attached to the court of District Judge has been re designated as Chief Administrative Officer in February, 2024.
6. The petitioners specifically claim that they should be treated as Chief Administrative Officers from the date of their actual promotion to the post of Sheristadar attached to the court of the District Judge and their pay scales must be revised accordingly. They also claim arrears of pay and issuance of fresh Pension Payment Order.
7. In those circumstances, the District Judgeship, Purba Medinipur shall revisit the cases of the petitioners along with other Stenographers, who have opted to so switch over to the ministerial side and grant them appropriate commensurate post notionally, if necessary. All consequential benefits

then follow to the concerned employees including the petitioners.

8. Let a decision in this regard be taken by the District Judgeship, Purba Medinipur within a period of two months from date.
9. The District Judgeship, Purba Medinipur shall take a decision in the matter and communicate the same to each of the petitioners and all concerned other employees.
10. With the aforesaid observations, the writ petition is disposed of.
11. There will be no order as to costs.
12. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)