

13.05.2024.
Court No.13
Item No. 6
ap

W.P.A. No. 29467 of 2016
Smritikana Maity & Ors.
Versus
The State of West Bengal & Ors.

Mr. Tulsi Das Maiti,
Mr. Pradip Kumar Ghosh.

...For the petitioners.

Mr. Joyak Kumar Gupta.

...For the State.

1. The petitioners are aggrieved by the inaction of the Secretary, Government of West Bengal, Women and Child Development and Social Welfare Department.
2. The petitioners are working at Nandigram-II ICDS Project run by a NGO, namely, Haldia Vigyam Parishad under the control and supervision of Sub-Divisional Officer, Haldia as per Government Order No. 532-SW/3S-10/2002 dated 12.02.2002.
3. They seek similar benefit as the ICDS employees working under the State.
4. A Co-ordinate Bench of this Court by a judgment and order dated 1st December, 2023 has in W.P.A. No. 1402 of 2020 (Bhabani Sinha – Vs. – The State of West Bengal & Ors.) held that the conditions of service of employees under the ICDS Project run through NGOs cannot be different from those project executed through the concerned NGO.
5. The said judgment has not been challenged by any party till date and holds the field.

6. The petitioner shall be entitled to the benefits contained and be covered by the aforesaid judgment and order dated 1st December, 2023 (supra).

7. With the aforesaid directions, the instant writ petition is allowed and disposed of.

8. There will be no order as to costs.

9. 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.)