

Item- 22-04-2025
6 to 25.

Aloke

Ct. 8

MAT/1000/ 2024
WITH
CAN/2/2024
RATI KANTA DAS VS. STATE OF WEST BENGAL & ORS.
&
FMA/759/2024
WITH
CAN/2/2024
PRINCIPAL, RAJA NARENDRA LAL KHAN WOMENS
COLLEGE AND ANR. VS STATE OF WEST BENGAL
AND ORS.
&
MAT/100/2024
SECRETARY, NARENDRA LAL KHAN WOMENS COLLEGE
AND ANR VS TRISHNA KHATUA AND ORS.
&
MAT/102/2024
SECRETARY, RAJA NARENDRA LAL KHAN WOMENS
COLLEGE AND ANR VS JAMUNA SING AND ORS.
&
MAT/1030/2024
WITH
CAN/2/2024
KALPANA SINGH VS. STATE OF WEST BENGAL & ORS.
&
MAT/1031/2024
WITH
CAN/2/2024
JAMUNA SINGH VS. STATE OF WEST BENGAL & ORS.
&
MAT/103/2024
SECRETARY, RAJA NARENDRA LAL KHAN WOMENS
COLLEGE AND ANR VS LAKSHMI DAS AND ORS.
&
MAT/1032/2024
WITH
CAN/2/2024
SAMIR SAMANTA VS. STATE OF WEST BENGAL & ORS.
&
MAT/1033/2024
WITH
CAN/2/2024
RATAN PANDIT VS STATE OF WEST BENGAL AND ORS.
&
MAT/1034/2024
WITH
CAN/2/2024
APADESH SINGHA VS STATE OF WEST BENGAL AND ORS.
ARPA CHAKRABORTY
&
MAT/104/2024

SECRETARY, RAJA NARENDRA LAL KHAN WOMENS
COLLEGE & ANR. VS SRI CHANDAN JANA & ORS.
&
MAT/105/2024
SECRETARY, RAJA NARENDRA LAL KHAN WOMENS
COLLEGE AND ANR VS KALPANA SINGH AND ORS.
&
MAT/1061/2024
WITH
CAN/2/2024
TRISHNA KHATUA VS STATE OF WEST BENGAL AND ORS.
&
MAT/1062/2024
WITH
CAN/2/2024
DEBASIS PATRA VS STATE OF WEST BENGAL AND ORS.
&
MAT/1063/2024
WITH
CAN/2/2024
CHANDAN JANA VS STATE OF WEST BENGAL AND ORS.
&
MAT/107/2024
SECRETARY, RAJA NARENDRA LAL KHAN WOMENS
COLLEGE AND ANR. VS MR. RATAN PANDIT AND
ORS.
&
MAT/108/2024
SECRETARY, RAJA NARENDRA LAL KHAN WOMENS
COLLEGE AND ANR VS APADESH SINGHA AND
ORS.
&
MAT/109/2024
SECRETARY, RAJA NARENDRA LAL KHAN WOMENS
COLLEGE AND ANR VS ANUP KR. GOSWAMI AND
ORS.
&
MAT/97/2024
SECRETARY, RAJA NARENDRA LAL KHAN WOMENS
COLLAGE AND ANR VS DEBASIS PATRA AND ORS.
&
MAT/99/2024
SECRETARY, RAJA NARENDRA LAL KHAN WOMENS
COLLEGE AND ANR VS SAMIR SAMANTA AND ORS.

Mr. Ujjal Ray

Mr. Arpa Chakraborty

Mr. Sk. Abdur Rahim

... for the petitioner in item nos. 6,10,11-
15,18-20

Mr. Ujjal Ray

Mr. Arpa Chakraborty

Mr. Sk. Abdur Rahim

... for the respondent in item nos. 7,8,9,19,17,21-25

Ms. Usha Maity,
 Mr. Sakya Maity
 ... for the appellant in item nos. 7, 8,
 9,12,16,17,21,22,23,24 and 25

Ms. Usha Maiti
 Mr. Sakya Maity
 ... for the College Authority in item
 nos. 10,11,13,14,15,18,19 and 20

Ms. Debjani Sengupta
 Mr. Abhijit Chatterjee
 Ms. Koyel Bag
 ... for the Vidyasagar University

Mr. Jyoti Prakash Chatterjee
 Mr. Abdus Salam
 ... for the State respondents in MAT 1061/2024
 Mr. Lolit Kr. Mahato
 Ms. Rajlakshmi Ghatak
 ... for the State respondents in MAT 102/2024

Mr. Swapan Kr. Dutta
 Mr. Rajat Dutta
 ... for the State respondents in MAT 1031/2024

Mr. Sirsanya Bandopadhyay
 Ms. Tapati Samanta
 ... for the State respondents in MAT 1032/2024

Mr. Asish Kr. Guha
 Mr. Naren Ghosh Dastidar
 ... for the State respondents in MAT 1033/2024

Mr. Swapan Kr. Datta
 Mr. Dipankar Dasgupta
 ... for the State respondents in FMA 759/2024,
 MAT 1030/2024 & MAT 1063 of 2024
 Mr. Biswabrata Basu Mallick
 Mr. Biman Halder
 ... for the State respondents in MAT 97/2024

1. All the appeals and the connected applications are heard together and disposed of by this common order.
2. Affidavits filed by the parties be taken on record.
3. It appears that a Coordinate Bench on 6th January, 2025 after taking into consideration the ratio laid down by the

Hon'ble Supreme Court in the State of Punjab & Ors. vs. Jagjit Singh & Ors. reported in (2017) 1 SCC 148 directed the authorities to take a fresh decision whether the temporary employees of the college are discharging the similar duties and shouldering the similar responsibility and/or exercise the similar powers that of a regular employee within a specified time.

4. At the commencement of the hearing of these appeals Mr. Swapan Kr. Datta, learned counsel appearing on behalf of the State respondents have placed before us an original order dated 26th March, 2025 passed by the Joint Director of Public Instruction declining benefits to the appellants.
5. This order has given a fresh cause of action to the appellants. However, in the event the said decision is challenged by the appellants or any one of them before the appropriate forum, the decision of the learned Single shall not operate as res judicate.
6. The direction, if any, for payment of basic wages or minimum wages to the appellants shall however continue and the acceptance of such amount shall not create a bar in future litigation for the appellant to seek regularization.
7. The appeals and the applications are disposed of.
8. The photostat copy of the order passed by the Joint Director of Public Instruction dated 26th March, 2025 is taken on record and the original is returned to Mr. Datta.

9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Soumen Sen, J.)

(Smita Das De, J.)