

08.04.2025
Ct. No. 2
M/L. Sl. No.28
Moumita

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA 6021 of 2025

Krishna Kant Singh
Vs
The State of West Bengal and Ors.

Mr. Susanta Pal
..... for the Petitioner
Mr. Asish Kumar Guha
Mr. Rajendra Chaturvedi
..... for the Respondent no. 1
Ms. Deblina Chattoraj
Ms. Poulami Chattopadhyay
....for the Respondent nos. 2 to 5

Mr. Susanta Pal, learned advocate appears for the petitioner.

Mr. Asish Kumar Guha, learned advocate with Mr. Rajendra Chaturvedi, learned advocate appears for respondent no. 1.

Ms. Deblina Chattoraj, learned advocate appears through virtual mode on behalf of respondent nos. 2 to 5 with Ms. Poulami Chattopadhyay, learned advocate.

The petitioner is an employee of **West Bengal Transport Corporation Limited** at present. He claims arrears cash benefit **since 2012** whereas the benefit has been granted to him **since 2022**. The petitioner further claims interest and arrear **since 2012**. Petitioner has made a representation dated **January 7, 2025 annexure p-9 at page 64** to the writ petition. The same has not been considered.

Ms. Deblina Chatteraj, learned advocate appearing for respondent nos. 2 to 5 submits that the issue has already been previously considered by the **Additional Chief Secretary Finance Department** and an order was communicated to the petitioner on **November 22, 2022**. A copy of the said order has been placed before this court, the same is taken on record. She submits that this order has deliberately been suppressed in this writ petition. The benefit has already been granted to the petitioner **since 2022** and he has been receiving the same but he further claims the benefit **since 2012** with arrear and interest.

In view of the above, the **Principal Secretary, Department of Transport, State of West Bengal** upon issuing a prior hearing notice of **at least seven days** to the petitioner and the respondent no. 5 and after granting them an opportunity of hearing shall decide the said representation dated **January 7, 2025 at page 64** to the writ petition by passing a reasoned order in accordance with law.

The entire exercise shall be carried out and completed by the said Principal Secretary, positively within a period of **eight weeks** from the date of communication of this order and the reasoned order shall be communicated to the petitioners and the respondent no. 5 positively within a period of **one**

week from the date of the said reasoned order to be passed.

It is made clear that, this court has not gone into the merits of the writ petition.

In the event, the reasoned order goes in favour of the petitioner then the respondent nos. 2 to 5 and/or the other appropriate authority of the state shall take all necessary consequential steps to give an immediate effect to the said reason order in accordance with law but positively within a period of **four weeks** from the date of the said order to be passed.

It is also made clear that, this order shall not create any right or equity in favour of the petitioner if the petitioner does not succeed to his claim before the Principal Secretary strictly in accordance with law.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition, **WPA 6021 of 2025** 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.)