

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

21 02.5.2025
Sc Ct. no.2

WPA 8984 OF 2025

Tushar Ranjan Das & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Samim Ahammed
Ms. Ambiya Khatun
Mr. Asif Ikbal Baidya
Mr. Md. Nasirul Haque.

....For the Petitioners

Mr. Vivekananda Bose
Mr. Suddhadev Adak.

....For the respondent
No.1/State

Ms. Parna Roy Choudhury

....For the Respondent
Nos. 2 & 3/SFDCL

Affidavit-of-service, filed in Court today, is taken on record.

Subject to payment of deficit Court Fees by the petitioner who have not paid, this order shall be effected.

Mr. Samim Ahammed, learned counsel with Ms. Ambiya Khatun, learned advocate appears for the petitioners.

Mr. Vivekananda Bose, learned counsel appears for the respondent no.1.

Ms. Parna Roy Choudhury, learned counsel appears for the respondent nos. 2 and 3.

The petitioners claim that they have worked as the **Daily Rated Workers** under the different projects of the respondent nos. 2 and 3. Referring to **Annexure-P3 at**

page 56 to the writ petition Mr. Samim Ahammed, learned counsel for the petitioners submits that payment has been made to the petitioners till **February 2023**. The petitioners contend that still they are working but have not been paid up till date after **February, 2023**. The petitioners claim their unpaid agreed wages.

In view of the above, the respondent no.2 upon verification of the records of employment of the petitioners to be produced before him by the concerned Project Directors of the projects shall **first** decide up to which dates each of the petitioners have worked actually. Thereafter, on the basis of such fact finding inquiry, the respondent no.2 shall pay the wages at the agreed rate to each of such petitioners who found to be eligible to be paid in accordance with law.

The entire exercise including the disbursement of payments to the wage earners shall be carried out and completed by the respondent no.2 positively within a period of **six weeks** from the date of communication of this order.

It is made clear that, this order shall not create any right or equity in favour of the petitioners but in the event it is found that the petitioners have worked but not paid, the agreed wages shall be and must be paid to them in accordance with law.

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

With the above observations and directions, this writ petition, **WPA 8984 of 2025** stands ***disposed of***, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)