

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

25 01.7.2025
Sc Ct. no.2

WPA 12931 OF 2025

Basudev Maji & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Santi Ranjan Das
Mr. K. P. Mukhopadhyay
Mr. Sayantan Rakshit
Ms. Subhasri Chatterjee.

....For the Petitioners

Mr. Sirsanya Bandopadhyay
Mr. Akash Dutta.

....For the Respondent
Nos.1 & 2/ State

Mr. Biswabrata Basu Mallick
Mr. Biman Halder.

....For the Respondent
No. 3

Mr. Sajal Kanti Bhattacharyya

....For the Respondent
No. 4

Mr. Debashis Banerjee
Mr. Rakesh Jana.

....For the Respondent
No. 5

Mr. Santi Ranjan Das, learned counsel appears for the petitioners.

Mr. Akash Dutta, learned counsel led by Mr. Sirsanya Bandopadhyay, learned Senior Standing Counsel appears for the respondent nos. 1 and 2/State.

Mr. Biswabrata Basu Mallick, learned counsel with Mr. Biman Halder, learned advocate appears for the respondent no. 3/District Judiciary.

Mr. Sajal Kanti Bhattacharyya, learned advocate appears for the respondent no. 4.

Mr. Debashis Banerjee, learned counsel with Mr. Rakesh Jana, learned advocate appears for the respondent no. 5/ High Court Administration.

The ultimate object is the consideration and disposal of the objections raised by various employees with regard to the implementation of SHETTY Commission recommendation in terms of the direction of the Hon'ble Supreme Court. As the adjudicating committee was not there because of the transfer or retirement of the member of the committee, the adjudication could not take place.

Mr. Biswabrata Basu Mallick, learned counsel appearing for the concerned District Judiciary and Mr. Debashis Banerjee, learned counsel appearing for High Court Administration jointly submit that, the learned District Judge has already taken charge of the District Judiciary and he is one of the members of the adjudicating committee available now at his office.

Both Mr. Basu Mallick and Mr. Banerjee further submit that, presently all the objections can be taken together with that of the petitioners' grievances and the committee can adjudicate upon and pass its final reasoned decision.

Learned counsel appearing for the District Judiciary has prayed for two months' time for completion of the entire exercise.

In view of the above, this writ petitions is disposed of with a direction that, the grievances as on date, submitted before the learned District Judge, already on record submitted by these petitioners, shall be taken up for consideration by the said committee.

The committee shall commence the proceeding upon prior notice of hearing of at least **seven days** fixing the date, time and place of the hearing upon all the objectors and interested parties including these petitioners and then after granting them an opportunity of hearing shall pass its reasoned decision strictly in accordance with law.

The entire exercise shall be carried out and completed within **two months** from the date of communication of this order to the present learned District Judge.

The reasoned decision then shall be communicated to all the objectors and interested parties including these petitioners who shall participate in the hearing positively within a period of **two weeks** from the date of the said reasoned order to be passed.

Learned advocate on record for the writ petitioners shall supply the copy of this writ petition and the orders passed by this Court in this writ petition to the learned

District Judge within a period of **one week** from date and thereafter the learned District Judge shall proceed.

It is made clear that, this Court has not gone into the merits of the rival contentions of the parties and parties shall be at liberty to urge whatever points they wish to urge by relying upon whatever records and documents they wish to rely upon before the said committee but the same shall not travel beyond the scope of this writ petition.

With the above observations and directions, this writ petition, **WPA 12931 of 2025** stands **disposed of**, without any order as to costs.

This order shall be effected subject to payment of Court Fees by each of these writ petitioners in this writ petition, if not paid already.

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

(Aniruddha Roy, J.)