

Form No. J.(2)
Item No. 59
AB

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Present:

The Hon'ble Justice Aniruddha Roy

W.P.A. 22139 of 2025

Bishwajit Purkait & Ors.

Vs.

The State of West Bengal & Ors.

For the petitioners : Mr. Amar Nath Sen, Ld. Advocate
Mr. Malay Dhar, Ld. Advocate
Mr. Shouvik Naskar, Ld. Advocate

For the State : Mr. Saibal Acharyya, Ld. Advocate
Mr. Sankar Halder, Ld. Advocate

Heard on : October 24, 2025

Judgment on : : October 24, 2025

Aniruddha Roy, J.

The petitioners as contractual employees of the relevant State Government department, to which respondent nos. 2 and 3 belonged to, claim the pay scale as per the prevailing policy decision of the State in terms of the circulars and Government orders issued from time to time. All these circulars and orders are already referred to in the instant writ petition.

Mr. Malay Dhar, learned counsel appearing for the petitioners submits that, on the self-same issue with regard to the self-same employer the claim of the other writ petitioners who already filed writ petition has been

allowed by a co-ordinate bench by its judgment dated **February 8, 2024** *In the matter of: Sri Subhasish Das & Ors. Vs. The State of West Bengal & Ors. rendered in W.P.A. 11914 of 2021, annexure P-12 at page 132* to the writ petition.

Being aggrieved by the said judgment the State preferred several appeals. By its judgment dated **September 16, 2025** the Hon'ble Division Bench has decided the appeal, *inter alia*, ***In the matter of: The Deputy Secretary, Backward Classes Welfare & Tribal Development Directorate & Anr. Vs. Sri Subhasish Das & Ors.*** rendered in ***MAT 1101 of 2025.***

Learned counsel for the petitioners submits that, these petitioners in the instant writ petition are similarly circumstanced with those petitioners in the ***WPA 11914 of 2021.***

In view of the above, the learned advocate on record for the petitioners shall serve a complete set of instant writ petition along with a copy of the said judgment of the Hon'ble Division Bench and a copy of today's order upon the respondent no. 3 forthwith.

The respondent no. 3 then upon issuing a prior hearing notice of at least **seven days** to the petitioners and after affording an opportunity of hearing to them shall decide the issue in the light of the case made out in the writ petition and in the light of the law laid down in both the said two

judgments by the co-ordinate bench and the Hon'ble Division Bench, as referred to above, by passing a reasoned order in accordance with law.

The entire exercise shall be carried out and completed by the respondent no. 3 positively within a period of **six weeks** from the date of communication of this order. The reasoned order then shall be communicated to the petitioners positively within a period of **two weeks** 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 claim of the petitioners and the writ petition.

The respondent no. 3 shall decide the issue in the light of the said two judgments referred to above.

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 **W.P.A. 22139 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.)