

Court No. 2

05.5.2025

(Item No. 7)

(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 29431 of 2024

Subhash Chandra Garain & Ors.

VS

The State of West Bengal & Ors.

Mr. Sarwar Jahan

Mr. Ziaul Haque

Mr. Manoranjan Mahata

Mr. Amit Bikram Mahata

.... For the petitioners

Mr. Biswabrat Basu Mallik, Ld. AGP

Mr. Tamal Taru Panda

.... For the State

Mr. Sarwar Jahan, learned advocate appears for the petitioners.

Mr. Biswabrata Basu Mallik, learned Additional Government Pleader appears for the State respondents.

The petitioners were engaged as **Immunization Volunteers** during the **Covid-19 period**. The solitary job of the petitioners at the relevant point of time was to give immunization protection/vaccines to the society at large. Such volunteers during the pandemic have saved millions of lives by putting their own life in jeopardy but have not been paid by the State at the enhanced rate. The volunteers were engaged by the State. It is an extremely sorry affair to see such dispute, when the admitted position is that such volunteers have not

been paid in accordance with law, despite providing their services during pandemic for about last four years ago. The petitioners have received a lesser amount and have not been paid the enhanced amount. The amount was also enhanced by the State as a policy decision but has not reached the beneficiaries.

The petitioners have submitted representation dated **November 6, 2024** at **page 52** to the writ petition, the same has not been considered. The enhanced amount has not been paid to the petitioners.

Mr. Sarwar Jahan, learned counsel appearing for the petitioners submits that, the issue has already traveled up to the Hon'ble Division Bench and thereafter up to the Hon'ble Supreme Court, when the paying authority has suffered defeat consistently.

Be that as it may, the respondent no. 4 upon issuing a prior hearing notice of at least seven days to the petitioners and their learned advocate on record and after granting the petitioners an opportunity of hearing shall dispose of and decide the representation dated **November 6, 2024** at **page 52** to the writ petition by passing a reasoned order in accordance with law.

It is needless to mention that, the petitioners shall be entitled to participate in the hearing by

themselves and through their authorized representative.

The entire exercise shall be carried out and completed by the respondent no. 4 positively within a period of **four weeks** from the date of communication of this order and the reasoned order then shall be communicated to the petitioners and their authorized representative within a further period of **one week** from the date of the said reasoned order to be passed.

The petitioners shall be at liberty to produce whatever records and documents including the orders of Courts they wish to produce before the respondent no. 4.

It is expected that, the respondent no. 4 while considering the case of the petitioners shall take a liberal and sympathetic view keeping in mind the nature of service the petitioners have provided to the society at large during the pandemic.

The necessary payments shall also be released and paid to the petitioners positively within a period of **three weeks** from the date of the said reasoned order to be passed.

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

On the above terms and conditions, this writ petition, **WPA 29431 of 2024** stands **disposed of**, without any order as to costs.

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

(Aniruddha Roy, J.)