

Form No. J(2)
Daily List Item No. 7
Court No. 2
b.r.

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Present:-
The Hon'ble Justice Aniruddha Roy

WPA 30556 of 2024

Debika Halder

-vs-

***The Secretary Department of Power,
Government of West Bengal & Ors.***

For the petitioner : **Mr. Wasif Ali Mondal**
: **Mr. Subrata Mukherjee**

For the Respondent
Nos. 1,2 and 5.

: **Mr. Amitabrata Ray, Ld. AGP**
: **Mr. Nilotpal Chatterjee**
Ms. Tuli Sinha

For the Respondent nos.
4 and 6.

: **Mr. Sujit Sankar Koley**

Heard On : **28.10.2025**

Judgement on : **28.10.2025**

Aniruddha Roy, J. :

1. The petitioner claims to be working as a Nurse at the hospital of the respondent no.4. The petitioner claims a higher

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pay scale in parity with the State Government pay scale for the employees who are identically and similarly placed with that of the petitioner. The petitioner submitted its representation dated **May 9, 2024, annexure p-9 at page-60** to the writ petition. The Power Department of the State by its communication dated **June 4, 2024, annexure p-9 at page-68** to the writ petition has recommended the case of the petitioner to be considered by the respondent no.4. Nothing was done. The petitioner then made a further representation on **July 15, 2024, annexure p-10 at page-69** to the writ petition which was again recommended for consideration by the respondent no.4 by the State Government by its communication dated **August 13, 2024, annexure p-11 at page-78** to the writ petition. Till date, no consideration has been granted with regard to the petitioner's alleged grievance.

2. Mr. Sujit Sankar Koley, learned advocate appearing for the respondent nos. 4 and 6 submits that their grievance has already been redressed as the petitioner has been enjoying the higher pay scale, as prayed for.

3. Learned counsel for the petitioner denies and disputes the said submissions and submits that the claim for which he has raised the grievance has not been redressed.

4. In view of the above, the respondent no.4 upon issuing a prior hearing notice to the petitioner of at least **seven days** shall consider the representation of the petitioner dated **May 9, 2024 at page-60** to the writ petition after affording an opportunity of hearing to the petitioner and by passing a reasoned order in accordance with law.

5. The entire exercise shall be carried out and completed by the respondent no.4 positively within a period of **six weeks** from the date of communication of this order and the reasoned order shall be communicated to the petitioner positively within **a week** from the date of the said reasoned order to be passed.

6. It is needless to mention that the petitioner shall be entitled to participate in the hearing along with her authorized representatives.

7. It is made clear that this Court has not gone into the merits of the claim of the petitioner and the petitioner shall be at liberty to urge whatever points she wishes to urge by relying upon whatever records and documents she wishes to rely upon before the respondent no.4 but the same shall not travel beyond the scope of the said representation dated **May 9, 2024**.

8. It is made clear that this order shall not create any right or equity in favour of the petitioner if she does not succeed in the

hearing before the respondent no.4 strictly in accordance with law.

9. In the event, the benefit is granted to the petitioner and the reasoned order goes in her favour, the appropriate authority/authorities shall give an immediate effect thereto but positively within a period of **six weeks** from the date of the said reasoned order to be passed.

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

11. With the above observations and directions, this writ petition, **WPA 30556 of 2024** stands **disposed of**, without any order as to costs.

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

(Aniruddha Roy, J.)