

IN THE HIGH COURT AT CALCUTTA
Special Jurisdiction(Contempt)
ORIGINAL SIDE

CC/49/2025
IN APO/59/2023

MD JAMAL AHMAD
VS.
DR. SAUMITRA MOHAN, IAS

BEFORE:
The Hon'ble JUSTICE SOUMEN SEN
AND
The Hon'ble JUSTICE UDAY KUMAR
Date : 3rd September, 2025

Appearance:
Mr. Samrat Sen, Sr. Adv.
Mr. Sirsanya Bandopadhyay, Sr. Adv.
Sk. Md. Galib, Sr. Adv.
Ms. Priyamvada Singh, Adv.
Mr. Paritosh Sinha, Adv.
... for the alleged contemnor.

Mr. Niladri Bhattacharjee, Adv.
Ms. Deblina Chattaraj, Adv.
Ms. Poulami Chattopadhyay, Adv.
... for WBTC Ltd.

1. In our order dated 4th April, 2024, we directed the Secretary, Transport Department, Government of West Bengal to consider the proposal for regularization of the petitioner in consultation with the Principal Secretary, Finance Department, Government of West Bengal within a time frame.
2. In view of the fact that no decision was taken and communicated to the petitioner within the time frame a contempt application was filed. This contempt application was heard from time to time. In one of such hearings the Secretary, Transport Department appeared on the

basis of his instructions, submission was made by Mr. Samrat Sen, learned Assistant Additional Advocate General that would attempts would be made to find out if the writ petitioner can be regularized although there was no specific direction upon the State to regularize his service. The said submission was made in view of the decision of a learned Single Judge directing the Transport Department to frame a scheme for regularization of contractual employees similarly placed as the present petitioner. However, the scheme proposed is presently the subject matter of challenge before the Hon'ble Supreme Court. In the meantime, the Transport Department proposed to extend the pay structure and all other benefits as per the proposed scheme which is presently pending before the Hon'ble Supreme Court for consideration to petitioner.

3. We are of the view that the contempt application can be disposed of on the basis of the aforesaid suggestion. The writ petitioner shall be entitled to the pay structure as proposed on and from June, 2025. The arrears amount shall be paid along with the current pay for the month of September within a week from date.
4. The process of regularization shall not be affected by this order and shall abide by the result of the Special Leave Petition.
5. This order is passed in the peculiar facts and circumstances of this case.
6. The matter stands disposed of.

7. The Secretary, Transport Department has taken a fair stand in the matter and also appreciate the fair stand taken by the learned Assistant Additional Advocate General.

(SOUMEN SEN, J.)

(UDAY KUMAR, J.)