

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 8152 of 2026

Debasish Roy & Ors.
-versus
Damodar Valley Corporation & Ors.

Mr. Durga Prasad Dutta
Mr. Souvik Sen
Mr. Sumanta Ganguly
... For the petitioners

Mr. Pratik Majumder
... For the respondents/DVC

1. The petitioners pray for pay fixation of their salary.

2. From the documents annexed to the writ petition, it appears that the petitioners approached this Court in an earlier occasion by filing WPA 7333 of 2022 which was considered and disposed of by the Court on 8th January, 2024 by passing a judgment.

3. Paragraph 29 of the said judgment categorically records that the petitioners' prayer for a direction upon Damodar Valley Corporation to fix the pay of the petitioners and release arrear salary with effect from 31st March, 2010 cannot be acceded to.

4. In the present writ petition, the petitioners pray for fixation of their salary with effect from the year 2003.

5. Learned advocate representing Damodar Valley Corporation submits that the petitioners' prayer for releasing salary with effect from 2010 being rejected by the Court, the instant writ petition praying for releasing salary with effect from 2003 would be barred by the principles of constructive *res judicata*.

6. It has been submitted that the petitioners did not challenge the judgment passed in the earlier writ petition before any superior forum. The petitioners preferred a contempt application, being WPCRC 50 of 2025, which stood dropped on 18th March, 2026.

7. Upon hearing the submissions made on behalf of both the parties and on perusal of the documents annexed to the writ petition, prima facie it appears that the prayer of the petitioners seeking fixation of pay and release of arrear salary with effect from March 2010 stood disallowed by the Court. The Court, upon hearing both the parties, rejected the prayer of the petitioners for fixing the pay and releasing the arrear salary within effect from March 2010. There is no question of revisiting the issue all over again on the prayer of the petitioners seeking fixation of pay and releasing salary with effect from 2003.

8. Had the petitioners being aggrieved by the direction passed by the Court in the earlier writ petition, then the petitioners ought to have approached the appellate forum. On the contrary, it appears that

the petitioners were satisfied with the judgment passed by the Court and, accordingly, filed application for contempt seeking implementation of the direction passed therein.

9. In view of the above, the Court is not inclined to entertain the instant writ petition. The same stands dismissed.

10. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)