5th Oct., 2026

Item no.M/L 12
Court No. 24

Pradip, A.R.(Ct.)

# In the High Court at Calcutta

## Constitutional Writ Jurisdiction
## Appellate Side

Case No. **WPA 21178 of 2026**

*In the matter of:*

**Sukesh Mistri & Ors.**

*.... Petitioners*

**VS.**

**The State of West Bengal & Ors.**

*....Respondents*

*For the Petitioners:*

**Mr. Arka Mondal**

*....Advocate*

*For the State:*

**Mr. Sovan Mukherjee**
**Mr. Bikash Kumar Srivastav**

*....Advocates*

*For the University:*

**Mr. Amitava Chaudhuri**
**Mr. N.Roy**

*....Advocates*

1. Affidavit of service filed in Court today is taken on record.
2. The petitioners are serving in various departments of the Kalyani University in Group-'C' & Group-'D' posts. They seek benefit of revised remuneration in terms of the Finance Department Memo No. 9008-F(P) dated 16th September, 2011 and subsequent orders issued in that regard.
3. It has been brought to the notice of the Court that similarly circumstanced employees have already received benefit in terms of the order passed by the Court on **24th February, 2026** in **FMA 1247 of 2025 (Ranjit Sarkar & Ors. Vs. The State of West Bengal & Ors.)**.
4. Specific case of the petitioners is that they are similarly placed as Ranjit Sarkar & Ors. (supra) and they ought to receive similar benefit.

5. The compliance order of the University of Kalyani dated 27th April, 2026 passed by the Registrar of the University before the Hon'ble Division Bench in the matter of Ranjit Sarkar & Ors. (supra) has been placed before this Court in support of the submission that the employees have been granted benefit of enhanced remuneration in terms of the aforesaid Government Order.
6. Prayer has been made by the petitioners to direct the University to extend similar relief to them.
7. Learned advocate representing the University submits that the petitioners are yet to file any representation before the authority with their prayer.
8. It has, however, been submitted that the University has acted in compliance of the direction passed by the Court in granting the enhanced remuneration benefit to its employees.
9. Upon hearing the submissions made on behalf of both the parties and on perusal of the materials on record, it appears that the primary issue as to whether benefit of enhanced remuneration can be paid to the employees of the University in terms of the Finance Department's memo dated 16th September, 2011 and the subsequent orders issued in that regard was considered and the Court directed the authority to grant the enhanced remuneration benefit to its employees.
10. The petitioners claim to be similarly situated as that of Ranjit Sarkar & Ors. (supra).
11. According to law like candidates are to be treated in a similar manner. Whether the petitioners are actually similarly situated as that of Ranjit Sarkar & Ors. (supra) has to be ascertained.
12. The Finance Officer of the University of Kalyani is directed to verify its records to ascertain as to whether the petitioners are similarly

placed as Ranjit Sarkar & Ors. (supra). If it is found that the petitioners are similarly placed, then similar relief as extended to Ranjit Sarkar & Ors. (supra) shall be extended to the petitioners.

13. If required, the University may grant an opportunity of hearing to the petitioners for production of documents in support of their respective claims.
14. A decision shall be taken in the matter by the University at the earliest but positively within a period of ninety days from the date of communication of this order.
15. The benefit of enhanced remuneration, if found admissible, shall be disbursed in favour of the petitioners without any further delay.
16. The writ petition stands disposed of.
17. Parties to act on the basis of the server copy of this order duly downloaded from the official website of this Court.
18. Certified server copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**(Amrita Sinha, J.)**