5th Oct., 2026

Item no.M/L 13
Court No. 24

Pradip, A.R.(Ct.)

In the High Court at Calcutta

Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 21183 of 2026**

In the matter of:

Gopal Das & Ors.

.... Petitioners

VS.

The State of West Bengal & Ors.

....Respondents

For the Petitioners:

Mr. Arka Mondal

....Advocate

For the State:

Mr. Nilanjan Chatterjee
Ms. Ankana Sarkar

....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-'D' posts. They approached the Court on an earlier occasion by filing writ petition being WPA 11447 of 2019 seeking benefit in terms of the Memo No. 9008-F(P) dated 16th September, 2011 issued by the Finance Department, Audit Branch, Government of West Bengal.

3. Challenging the order passed by the learned Single Judge in the said writ petition an appeal being FMA 1247 of 2025 was preferred by some of the writ petitioners. The petitioners herein were not parties in the appeal. At the time of consideration of the appeal, the Hon'ble Division Bench, however, took into consideration the remuneration of all the writ petitioners and a tabular chart was incorporated in the order of the Hon'ble Division Bench dated 17th July, 2026 in FMA

1247 of 2025 in the matter of Ranjit Sarkar & Ors. Vs. The State of West Bengal & Ors.

4. The names of the writ petitioners were mentioned in the said tabular chart. The Hon'ble Division Bench directed that the remuneration received by the contractual employees appears to be substantial on reaching the age of superannuation, that is, sixty years. The said employees would also get a consolidated severance pay of rupees two lakh only.

5. The Court also directed that the University, may in its wisdom and depending upon its financial health and sanction by the State, adopt subsequent memoranda of State regarding revision of wages of the contractual workers in the University.

6. As the present writ petitioners were not the appellants before the Hon'ble Division Bench, the financial benefit was granted by the University only in respect of the appellants before the Court. The petitioners were not allowed the same benefit though the petitioners and appellants stood in the same footing.

7. Prayer has been made to direct the University to take steps in compliance of the directed passed by the Hon'ble Division Bench.

8. Learned advocate representing the State submits that as the order passed in the earlier writ petition stands, the petitioners would not be entitled to approach another Single Bench for the same relief which stood disposed of on an earlier occasion.

9. It has been submitted that the petitioners ought to approach the Hon'ble Division Bench for similar relief as granted in the appeal.

10. Learned advocate representing the University, however, fairly draws attention of the Court to the direction recorded by the Hon'ble Division Bench in the order dated 17th July, 2026 wherein the tabular chart mentions the names of the petitioners. The Hon'ble Division

Bench passed direction in respect of all the employees mentioned in the said tabular chart.

11. It has been submitted that the University will take steps in terms of the order passed by the Hon'ble Division Bench.

12. Upon hearing the submissions made on behalf of all the parties and on perusal of the documents annexed to the writ petition, it appears that though the petitioners filed the earlier writ petition, but they did not approach the Hon'ble Division Bench challenging the order passed by the learned Single Judge in the appeal being FMA 1247 of 2025.

13. The said appeal was preferred by some of the writ petitioners and order had been passed therein. The Hon'ble Division Bench appears to have taken note of the remuneration received by all the writ petitioners from which the appeal arose. The names of the petitioners were also incorporated in the order dated 17th July, 2026. The University took into consideration the case of the appellants but not the present writ petitioners as they were not parties in the appeal.

14. As it appears that the petitioners and the aforesaid Ranjit Sarkar & Ors. (supra) are similarly placed, they ought to be treated similarly by the University.

15. The University is, accordingly, directed to extend similar relief to the present petitioners as has been granted by the Hon'ble Division Bench vide order dated 17th July, 2026 in FMA 1247 of 2025 in the matter of Ranjit Sarkar & Ors. Vs. The State of West Bengal & Ors.

16. If required, the University may grant an opportunity of hearing to the petitioners for production of documents in support of their respective claims.

17. 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.
18. The benefit of enhanced remuneration, if found admissible, shall be disbursed in favour of the petitioners without any further delay.
19. The writ petition stands disposed of.
20. Parties to act on the basis of the server copy of this order duly downloaded from the official website of this Court.
21. Certified server copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)