26.11.2026
Ct. No.447
SL No.**36**
MKP

WPA/22273/2026

TAPAN KUMAR PAL
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Anish Roy,
Mr. ArkaPrabho Roy,
Mr. Shreyankar Bardhan.
.....for the Petitioner.

Mr. Pulakesh Bajpayee,
Mr. Subit Majumdar.
.....for the State.

1. Heard Learned Counsel for the parties.

2. The grievance of the writ petitioner is that, his prayer for pay protection has been rejected on the ground that the petitioner applied for pay protection post-superannuation. It further appears that similarly situated persons who have been protected for pay after superannuation have been considered and the pay protection has been extended in their favour without insisting that they applied post-superannuation.

3. Learned Senior Government Advocate appearing for the State relies on the communication dated June 21,2023, issued by the Additional Secretary, Refugee Relief and Rehabilitation Department, regarding the pay protection as sought for by the petitioner after retirement, by

recording that the same is not considered at this stage on the ground that the finance department disagrees to the proposal at this stage.

4. In the circumstances, leave is granted to the petitioner to add Additional Chief Secretary, Finance Department, Government of West Bengal as a party respondent in the writ petition and amend the cause title accordingly in course of the day.

5. The writ petitioner shall serve a copy of the amended writ petition along with a website copy of this order to the newly added respondent by November 30, 2026.

6. The petitioner shall file a composite representation addressed to the added newly respondent within a period of 7(seven) days from the date annexing all the relevant documents in support of his claim and copy of the same shall be submitted to the Secretary of the Refugee Relief and Rehabilitation Department.

7. The newly added respondent shall consider the representation to be filed by the petitioner, upon hearing the petitioner and the Secretary of the Refugee and Relief Rehabilitation Department or his authorized representative within a period of 3(three) months from the date of submission of the representation; shall pass a reasoned order and serve the same upon the parties within a

period of fortnight from the date of conclusion of hearing.

8. Parties shall be at liberty to disclose the relevant documents before the newly added respondent during hearing.

9. With these directions, **WPA 22273 of 2026** is **disposed of**.

10. No order as to costs.

11. Photostat certified copy of this order, if applied for, be given to the parties on priority basis upon compliance of all formalities.

(Sandip Kumar De, J.)