

05.01.2026
Court No. 02
Item No.01
(Suvendu)

WPA 27601 of 2025

SIDDHARTHA MAJUMDAR & OTHERS
-Versus-
THE STATE OF WEST BENGAL & OTHERS

Mr. Ashok Nath Ghosh
.....for the petitioners

Mr. Arnab Chakraborty
Ms. Pragya Bhounick
.....for the respondent nos. 4 & 5

Mr. Jahrlal De
Ms. Sukla Das Chandra
...for the State

1) Affidavit of service filed on behalf of the petitioners is taken on record.

2) Petitioners were employees of Westinghouse Saxby Farmer Limited and they retired on superannuation. Common grievance of the petitioners is non-payment of Dearness Allowance for the period from 1st January, 2017 to 31st October, 2017 (hereinafter referred to as “said period”). It is submitted that some of the petitioners though received Dearness Allowance for three months of said period but they have not received Dearness Allowance for the entire period from 1st January, 2017 to 31st October, 2017. However, it is contended on behalf of the

petitioners that Dearness Allowance has been paid to the petitioners regularly on and from 1st November, 2017.

3) Westinghouse Saxby Farmer Limited is represented by learned advocate who has opposed the prayer of the petitioners on the ground of delay to approach this Court. In addition thereto, it is submitted that some of the petitioners were paid Dearness Allowance for few months during said period.

4) Having considered the submissions made on behalf of the parties, this Court finds that allegation has been made on behalf of the petitioners that they have not been paid Dearness Allowance for said period. Though it is urged on behalf of respondents that there was delay on the part of the petitioners in approaching this Court but Court does not find substance in such submission as it is not a case of creation of third party interest and if petitioners are found eligible to get Dearness Allowance necessary steps shall be taken by the concerned respondent authority for release of such benefits.

5) In view of aforesaid scenario, leave is granted to the petitioners to make a joint representation to the Managing Director,

Westinghouse Saxby Farmer Limited being respondent no. 5 seeking release of Dearness Allowance for said period by fortnight from date. If such representation is made on behalf of the petitioners within aforesaid time, respondent no. 5 is directed to decide the same in accordance with law by passing necessary order within eight weeks thereafter. Respondent no. 5 shall pass a reasoned decision after granting opportunity of hearing to one representative of the petitioners. Petitioners shall also be at liberty to rely upon relevant documents as well as orders passed by this Court previously in order to substantiate their claim. Decision to be taken by respondent no. 5 shall be communicated to the petitioners by fortnight thereafter.

- 6) Writ petition stands disposed of.
- 7) There shall be, however, no order as to costs.
- 8) Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)