

February 20, 2026
Sl. No.1
Court No.1
s.biswas

CPAN 622 of 2023
Sanjay Kundu and others
vs.
Partha Pratim Roy, Chairman North Bengal
State Transport Corporation and others
In

FMA 2147 of 2018
North Bengal State Transport
Corporation and others
vs.
Sanjoy Kundu and others
In
FMA 2148 of 2018
North Bengal State Transport
Corporation and others
vs.
7th Industrial Tribunal and others

Mr. Bikash Ranjan Bhattacharya, Sr. Adv.
Ms. Santi Das

... for the petitioner

Mr. Pantu Deb Roy
Mr. Subrata Guha Biswas
Mr. Jayanta Samanta
Ms. Indumuli Banerjee

... for the State

Mr. Srijan Nayak
Ms. Rituparna Maitra

... for the NBSTC

Per, Sujoy Paul, C.J.

1. Mr. Bikash Ranjan Bhattacharya, learned senior advocate appearing for the petitioner submits that the award of the Industrial Tribunal dated 30th May, 2014

was unsuccessfully challenged by the employer/State before this court and before the Supreme Court. As per the award, the applicants therein were directed to be reinstated in service. It was further directed that they shall not be treated as contractual labourers any more and shall be treated as employees of the principal employer.

2. Mr. Bhattacharya, learned senior advocate further submits that few of them have crossed the age of superannuation by the time the matter was decided by the Supreme Court.

- i) Those employees who have crossed the age of superannuation are also entitled to get financial benefits till the date they have not crossed the age of superannuation.
- ii) Those employees who have joined or permitted to be joined are entitled to be treated as employees of the Corporation. The Corporation has not filed any document to show that

this portion of award by treating them to be employees of Corporation is complied with.

- iii) It is submitted that the employees/ applicants who have died during the interregnum period, their family members were entitled to get financial benefits by treating them to be in employment till the date of their death. These benefits have not been extended.

3. Mr. Bhattacharya, learned senior advocate further submits that the order of this court dated 05.12.2025 is also not complied with and 4 persons who were permitted to join were also not permitted by the Corporation to resume their duties.

4. Faced with this, learned counsel for the State and the Corporation submits that as per their instruction, award of the Tribunal and orders passed by this court and the Supreme Court have been complied with and the allegations of the petitioner are not correct. However, they

will file their compliance report in the form of affidavit before the next date of hearing.

5. Let such affidavit be filed on or before 9th March, 2026 by supplying copy to the petitioner.

6. As jointly agreed, list this matter for further consideration/final disposal on 13th March, 2026.

(Sujoy Paul, C.J.)

(Bivas Pattanayak, J.)