

March 27, 2026
Sl. No.1
Court No.1
s.biswas

CPAN 622 of 2023
With
CAN 1 of 2026, CAN 2 of 2026
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
Mr. R. D. Bhaumick

... for the petitioner

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

... for the State

Mr. Srijan Nayak
Ms. Rituparna Maitra
... for the NBSTC/alleged contemnor

Dictated by Sujoy Paul, C.J.

1. Parties are represented through their
respective learned counsel.

2. Learned counsel for the petitioner at the outset submits that the order of this court passed on 20th March, 2026 has been complied with inasmuch as 4 persons have been reinstated.
3. Learned counsel for the State has filed compliance report and two applications being CAN 1 of 2026 and CAN 2 of 2026 seeking modification of the previous orders.
4. Let such report and CANs be supplied to learned counsel for the petitioner during the course of the day to enable the petitioner to file its exception, if any, within 3 weeks.
5. Learned counsel for the parties agreed that aforesaid CANs may be considered at the time of final hearing.
6. Learned counsel for the petitioner complained that by order dated 13th February, 2025, this court directed about six persons who died during pendency of proceedings to grant them notional appointment and consequential monetary

amount payable pursuant to such amount. The said amount be calculated and disbursed to legal representatives of deceased employees after obtaining requisite documents. The same direction was reiterated on 20th May, 2025 but till date the notional benefits have not been given to the legal representatives.

7. Faced with this, learned counsel for the Corporation placed reliance on Para (b) of his report and contended that certain exercise has been undertaken but till date for want of fund amount could not be released. During the course of hearing he was unable to satisfy the court as to whether the exercise of calculating the amount payable to the legal representatives has been completed or not. If such exercise has been completed, whether any request is made to the State Government to release the fund.
8. Learned counsel for the State submits that to the best of his information, no such letter is received by the State from the

Corporation quantifying the amount for its release to the legal representatives of the said deceased persons.

9. This court way back on 13th February, 2025 issued the aforesaid direction. The Corporation had sufficient time to comply with said direction. Accordingly, as a last indulgence 3 weeks time is granted to complete the aforesaid homework of calculating the retiral dues to aforesaid legal representatives and any other retired employee for which pension/retiral dues are due.

10. On the next date of hearing, we expect that Corporation will come up with necessary document to demonstrate that the exercise on their part is complete and they have demanded the found from the Government. The Government, if in the meantime receives the said request, it shall forthwith act on the said demand.

11. The supplementary affidavit filed on behalf of the Corporation, by supplying copies to the other side, is taken on

record. Exception, if any, may be filed within 3 weeks.

12. List this matter after 3 weeks.

(Sujoy Paul, C.J.)

(Bivas Pattanayak, J.)