

1703  
2025  
MONDAY

Court : 08  
Item : DL-44-45  
Matter : FMA  
Status : IOE  
Bench ID : 266305  
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IN THE HIGH COURT AT CALCUTTA  
CIVIL APPELLATE JURISDICTION  
APPELLATE SIDE

FMA 1195 OF 2024  
(THE STATE OF WEST BENGAL & ANR. Vs. MRINAL BARIK & ORS.)  
CAN 1 OF 2024  
CAN 2 OF 2024  
CAN 3 OF 2024  
&  
FMA 942 OF 2024  
(WEST BENGAL BOARD OF PRIMARY EDUCATION. Vs. MRINAL BARIK & ORS.)  
CAN 1 OF 2024

MR. ANIRBAN RAY, LEARNED GP  
MS. SRIVALLI KAJARIA, ADVOCATE  
MR. DEBJYOTI DAS, ADVOCATE  
.....for the Appellant (in FMA 1195 of 2024)  
MR. SUBIR SANYAL, SENIOR ADVOCATE  
MR. SAIKAT BANERJEE, SENIOR ADVOCATE  
MR. RATUL BISWAS, ADVOCATE  
MR. KAUSHIK CHOWDHURY, ADVOCATE  
.....for the Appellant (in FMA 942 of 2024)  
MR. SUPRIYO CHATTOPADHYAY, LD. AGP  
MS. ITI DUTTA, ADVOCATE  
.....for the State (in FMA 942 of 2024)  
MR. IMTIAZ AKHTER, ADVOCATE  
MR. BADRUL KARIM, ADVOCATE  
MR. SARAJIT RAY, ADVOCATE  
MR. ARITRA GHOSH, ADVOCATE  
MS. SRIJA CHAKRABORTY, ADVOCATE  
.....for the Writ-Petitioners/Respondents

1. Pursuant to the order dated 25.02.2025, the report is filed today, which is taken on record.
2. The report revealed that the Committee constituted by the State Government vide Notification No. 806-H(LAW)/PB/14M-95/2021 dated 21.07.2022, held several meetings and discussed the issue pertaining to the reservation of the Transgender Community in the public employment within the State of West Bengal. In the meantime, the Department of Women & Child Development and Social Welfare, Government of West Bengal has framed the West Bengal Transgender Persons (Protection of Rights) Rules, 2022 for providing an equal opportunity in the public employment.

3. So far as the reservation of the transgender in public employment, either horizontally or vertically is concerned, is in the active consideration of the Committee which requires collation of various information and data.
4. The report further revealed that an affidavit is also filed before the Supreme Court of India in connection with WP 400 of 2012 (NALSA Vs. Union of India & Ors.) where the contempt application is still pending. It is indicated in the report that because of the pendency of the matter before the Supreme Court, the Committee is not in a position to take any decision or issue any recommendation in this regard.
5. In course of hearing, we are informed that the said matter is likely to be listed on 28.03.2025 before the Supreme Court of India.
6. In view of the above, let this matter be listed in the first week of April 2025 under the same heading.
7. Since the interim order passed in the instant appeal, is operative till the end of March 2025, the same is extended till the end of April 2025 or until further order, whichever is earlier.
8. Let the copy of the said report be circulated amongst the appearing parties.

**(HARISH TANDON, J.)**

**(OM NARAYAN RAI, J)**

