

22-04-2026
Item No.7
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.22023 of 2025

Samir Biswas & Ors.

-vs-

The State of West Bengal & Ors.

with

CAN No.1 of 2026

Mr. Raj Mohan Chattoraj, adv.
Mr. P. Saha, adv.
Ms. Shreyosi Chakraborty, adv.
Ms. Ankita Das, adv. ...for the petitioners

Mr. Debashis Banerjee, adv.
Mr. Rakesh Jana, adv. ...for the High Court

Mr. N.C. Bihani, sr. adv.
Ms. P.B. Bihani, adv.
Mr. Soumyajit Ghosh, adv. ...for respondent no.6

1. As many as seventeen petitioners in this writ petition submit that they are serving as Assistant Registrars (Court) on the Appellate Side jurisdiction of this Court. Their allegation is that there are certain other Assistant Registrars (Court), who are of the same rank and designation, getting higher scale of pay than that of the petitioners.
2. They are also aggrieved as the High Court administration has sought to recover the amount which has been paid to them allegedly in excess of their entitlement.
3. They pray for pay protection. Prayer has also been made to restrain the authority from taking steps to recover the amount paid to them.

4. Learned counsel representing the sixth respondent who has been impleaded as the private respondent in the instant writ petition submits that he has been deliberately singled out. It has been submitted that there are several averments made in the representation (Annexure P12, p.142) that the private respondent along with others submitted representation before the High Court administration alleging grant of higher scale of pay to the petitioners, considering which the pay of the petitioners have been reduced.
5. It has further been submitted that other Assistant Registrars (Court) who submitted representation along with the private respondent have not been impleaded as party in the instant writ petition. It has also been submitted that there is no averment in the writ petition that in response to the representation filed by the private respondent and others, pay of the petitioners have been brought down.
6. According to the private respondent, the petitioners may have dispute with the administration for which the private respondent ought not to have been impleaded as party herein.
7. A copy of the representation submitted by the private respondent and others has been handed over to the learned advocate for the petitioners where names of other Assistant Registrars (Court) who signed the same are available.
8. Learned counsel for the High Court administration submits that the representation filed by the petitioners were duly considered and replied to by the High Court administration. Learned counsel seeks time to revert with an

affidavit disclosing its stand.

9. None represents the State, despite service. Affidavit of service is on record.
10. It will be open for the petitioners to seek addition of party of the Assistant Registrars (Court) who were signatories to the representation submitted before the High Court Administration along with the private respondent no. 6, if so advised.
11. The issue in question pertains to pay protection. The same cannot be decided without granting liberty to the respondents to disclose their stand by way of affidavit.
12. The respondents are directed to file affidavit-in-opposition to the writ petition as well as the connected application (CAN No.1 of 2026) within six weeks from date; reply thereto, if any, by three weeks thereafter.
13. Liberty to mention the writ petition for final hearing on completion of the aforesaid time period.
14. The petitioner's prayer for interim order cannot be allowed at this stage. It will be open for the petitioners to apply for interim order, if occasion so arises.
15. This order shall be communicated to the non-appearing respondents forthwith.
16. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
17. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

