



2023:CHC-AS:6980

16.12.2022
DL-38
(PP)
Ct.21

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

CAN 1 of 2022
in
WPA 31172 of 2017

Dr. Anita Nan Banerjee
Vs.
The State of West Bengal & Ors.

Mr. Soumya Majumder,
Mr. Aniruddha Sinha,
Mr. Samrat Dey Paul
.....for the petitioner.

Mr. Subir Sanyal,
Mr. Ratul Biswas,
Ms. Soumyadipa Kanu
....for the respondent nos.3 & 4.

In Re: CAN 1 of 2022

This is an application inter alia for not disturbing or adversely affecting the service conditions of the petitioner.

The petitioner is a contractual employee in the West Bengal Council of Rabindra Open Schooling. The service of the petitioner has been extended from time to time. By the last extension given to the petitioner, she has been engaged till March, 2023.

Mr. Majumder, learned counsel, appearing on behalf of the petitioner submits that the petitioner prays for equal pay for equal work. The other employees of the said institution are getting a higher



scale of pay compared to that of the petitioner. The petitioner's service is artificially broken by giving a break of one day in between the extensions. As per the recommendations of the 6th Pay Commission, the other employees/tutors of the Council are receiving a of approximately Rs.1,24,700/- per month whereas the writ petitioner is receiving a pay or Rs.34,000/- approximately per month.

Mr. Sanyal, learned counsel, appearing for the Council, prays for time to file an affidavit-in-opposition to the main writ petition.

Such prayer is considered and allowed.

Let such affidavit-in-opposition to the main writ petition as well as to the application be filed by January 20, 2023. Reply, if any, by February 3, 2023.

Let the writ petition appear along with the application in the **combined monthly list of February, 2023** under the heading "**Hearing**".

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Hon'ble Court.

(Lapita Banerji, J.)