

Court No. 2
10.07.2024
Item No.13
dc.

IN THE HIGH COURT AT CALCUTTA
Circuit Bench At Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 298 of 2024

Gobinda Chandra Roy & Ors.
VS
The State of West Bengal & Ors.

Mr. Ekramul Bari,
Sk. Intiaj Uddin,
Mr. Rinku Chakraborty
... for the petitioners.

Mr. Momenur Rahman,
Ms. Rima Sarkar
... for the State.

Mr. Bari, learned advocate appearing for the petitioners draws the attention of this Court to Memo No. DHFWS/419/12 dated 06.09.12, Memo No. Estt/1357 dated 24.04.2017 issued by CMOH, Jalpaiguri and Memo No. Estt/1381 dated 25.04.2017 issued by CMOH, Jalpaiguri. Learned advocate thereafter insists that the order passed by the Executive Director, WB SH & FW Samiti be relied upon and in view of memorandum dated 25.02.20216 issued by Principal Secretary to the Government of West Bengal, the petitioners are deprived of the proper entitlement.

Mr. Rahman, learned advocate appearing for the State opposes the contentions particularly in the background of the memorandum no. 1091-F(P2) dated 01.03.2024 issued by Additional Chief Secretary to the Government of West Bengal.

Having considered the issue so involved, I am of the view that the final determination of the points canvassed in the writ petition cannot be decided without exchange of affidavits. Accordingly, the State is directed to file their affidavit-in-opposition by 31.07.2024. Advance copy of the same may be served upon the petitioners. Affidavit-in-reply thereto, if any, be filed by 09.08.2024.

List the writ petition under the heading “Hearing” before the available Circuit Bench commencing from 12.08.2024.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)