

32-36
07.10.2026
Ct. No.6
b.das

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction

WPA No. 1557 of 2026
Pankaj Mahato vs. The State of W.B. & Ors.
with
WPA No. 13 of 2020
+
CAN 1 of 2026
Tapan Kr. Dey & Ors. vs. The State of W.B. & Ors.

with
WPA No. 14 of 2020
+
CAN 1 of 2026
Swapna Roy & Ors. vs. The State of W.B. & Ors.
with
WPA No. 16 of 2020
+
CAN 1 of 2026
Soutam Das & Ors. vs. The State of W.B. & Ors.
with
WPA No. 875 of 2019
+
CAN 1 of 2026
Tapan Kr. Dey & Ors. vs. The State of W.B. & Ors.

Mr. Kamalesh Bhattacharyya
Ms. Smita Sinha Mitra ...for the petitioners.

Mr. Kunaljit Bhattacharjee
Ms. Radhika Agarwal
Mr. Abhiit Raha
Mr. Shubhankar Dutta
Ms. Somdutta Patra
Ms. Manisha Dutta
Ms. Rajni Singh Dev ...for the State.

Mr. Bikramaditya Ghosh...for NBSTC.

The petitioners in all the writ petitions seek
issuance of a writ in the nature of mandamus
directing the respondent authorities to regularize

their services with effect from the date of joining and allow them all consequential benefits.

The issue is no longer res integra. It has been dealt with by a co-ordinate Bench of this Court in WPA 19215 of 2015 with WPA 19367 of 2015 with WPA 28597 of 2015 with WPA 4419 of 2014 with WPA 4420 of 2014 wherein by a judgment delivered on 22nd June, 2026, the Hon'ble Bench has allowed the prayer of the petitioners and directed regularization of their services from the date of filing of the writ petition.

An Hon'ble Division Bench of this Court has also dealt with the same issue in FMA 3642 of 2015 and by an order passed on 15th July, 2026, has directed the State to regularize the services of the appellants in the sanctioned vacant posts that are available. The Hon'ble Bench has directed regularization from the date of filing of the writ petition only for the purpose of computing notional benefits. Actual benefits were directed to be disbursed from the date of the order.

This Court, by the order passed on 3rd February, 2021 in WPA 13 of 2020 has recorded that the NBSTC has frankly submitted that the petitioners herein are similarly circumstanced with the petitioners in WP 4419 (W) of 2014 and WP (W) 4420 of 2014. The petitioners seek similar relief.

Learned counsel for the NBSTC submits that the appeal is contemplated against the order passed by the Hon'ble Division Bench. Learned advocate has been assigned with the said job.

It is a fact that no appeal is pending before the Hon'ble Supreme Court against the order of the Hon'ble Division Bench.

Admittedly, the petitioners herein are similarly circumstanced with the petitioners in the writ petitions referred to hereinabove. Without much ado, this Court is inclined to hold that these petitioners are entitled to the same relief as the petitioners in the earlier writ petitions.

The writ petitions are allowed.

The Secretary, West Bengal Transport Department, being the 1st respondent herein, is directed to take necessary steps for regularization of the petitioners in the available sanctioned vacant posts.

However, such regularization will be from the date of filing of the writ petition only for the purpose of computing notional benefits. Actual benefits shall be disbursed in favour of the petitioners from the date of this order. The entire exercise should be completed within eight weeks from the date of communication of this order.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)