

ITEM NO.25

COURT NO.8

SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No. 15757/2024

[Arising out of impugned final judgment and order dated 19-10-2023
in MAT No. 565/2020 passed by the High Court at Calcutta]

WEST BENGAL ESSENTIAL COMMODITIES
SUPPLY CORPORATION LTD. & ANR.

Petitioner(s)

VERSUS

SEKHAR BISWAS & ORS.

Respondent(s)

(IA No. 123477/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

WITH

SLP(C) No. 15758/2024 (XVI)

(IA No. 122626/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

SLP(C) No. 15774/2024 (XVI)

(IA No. 123307/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

SLP(C) No. 15759/2024 (XVI)

(IA No. 131785/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

SLP(C) No. 15760/2024 (XVI)

(IA No. 133852/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

SLP(C) No. 15761/2024 (XVI)

(IA No. 129558/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

SLP(C) No. 15762/2024 (XVI)

(IA No. 124985/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

SLP(C) No. 15764/2024 (XVI)

(IA No. 132890/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

SLP(C) No. 15765/2024 (XVI)

(IA No. 132342/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED

JUDGMENT)

SLP(C) No. 15766/2024 (XVI)

(IA No. 132250/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 15767/2024 (XVI)

(IA No. 124865/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 15768/2024 (XVI)

(IA No. 133769/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 15770/2024 (XVI)

(IA No. 131751/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 15769/2024 (XVI)

(IA No. 133384/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 15771/2024 (XVI)

(IA No. 126701/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 15772/2024 (XVI)

(IA No. 130981/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 25-09-2026 These matters were called on for hearing today.

CORAM :

**HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE SANJEEV SACHDEVA**

For Petitioner(s) **Mr. Subhasish Bhowmick, AOR
Mr. Suraj Kumar Singh, Adv.
Mr. Reegan S Bel, Adv.
Mr. Ashutosh Singh, Adv.**

Mr. Hiren Dasan, AOR

For Respondent(s) **Mr. Supratik Sarkar, Adv.
Mr. Supantha Sinha, Adv.
Mr. Ramendra Mohan Patnaik, AOR**

**Mr. Uddyam Mukherjee- 2680, AOR
Mr. Swapnil Pattanayak, Adv.
Ms. Kratika Kushwaha, Adv.
Ms. Meghna Nag, Adv.**

Mr. Kunal Mimani, AOR

UPON hearing the counsel, the Court made the following
O R D E R

The impugned order passed by a Division Bench of the Calcutta High Court notes in clear terms that the learned single Judge, whose orders were under appeal before the Division Bench, had recorded therein that 15 others who had been appointed on compassionate grounds were absorbed on regular basis.

It appears that some others, who were also given compassionate appointments, were singled out for discriminatory treatment in terms of their services not being regularized.

No justification was offered by the West Bengal Essential Commodities Supply Corporation Ltd. in the appeals filed before the Division Bench as to how a distinction had been drawn between those 15 persons, who were regularized in service after being given compassionate appointments, despite the absence of a policy, while denying the same relief to others identically situated who were also given similar compassionate appointments, who are now before this Court as respondents.

Surprisingly, the Corporation now seeks to contend that there was no policy in the Corporation for making compassionate appointments. If that be so, justification ought to have been offered before the Division Bench as to why the cases of those 15 persons were treated differently. However, no justification was offered at that stage. Even at this time, the learned counsel for

the Corporation is unable to offer any valid justification.

The orders of the Division Bench, therefore, do not warrant any interference.

The special leave petitions are, accordingly, dismissed

Pending applications shall stand disposed of.

(BABITA PANDEY)
AR-CUM-PS

(PREETI SAXENA)
COURT MASTER (NSH)