

23.12.2020

Item No.07
Court No.25
Avijit Mitra

W.P.A. No. 20881 of 2019 (Via Video Conference)

**In re: Anamika Mondal
- Versus -
State of West Bengal & Ors.**

Sk. Rejaul Alam	
	For the Petitioner
Mr. Malay Kumar Singh	
Mr. Rajaram Banerjee	
	For the State respondents
Mr. Tarun Das	
	For the respondent no.7

The present writ petition has been preferred *inter alia* praying for issuance of necessary direction upon the respondents to implement the order dated 28th December, 2017 passed by the respondent no.3. The operative portion of the said order runs as follows:

“Considering the above, the petitioner is directed to follow the Circular no.S/560 dated 26.09.1981 of the West Bengal Board of Secondary Education strictly to maintain dedicated performance on allotted duties within the working hours of the school for the academic interest of students. The petitioner is also directed to submit a declaration to the school authority on faithful discharge of duties as per rule on her part in future. The school authority is directed to grant incremental benefit to the petitioner on 01.07.2013 after receiving the declaration, as mentioned above, from the petitioner.”

Mr. Alam, learned advocate appearing for the petitioner submits that the direction contained in the order dated 28th December, 2017 passed by the respondent no.3 has not been complied with by the authorities of Harasankar Garkilla Santamayi High

School (H.S.) (in short, the said school) though the petitioner had submitted the declaration in terms of the said order.

Mr. Das, learned advocate appears for the respondent no.6 and submits that presently there is no managing committee and an administrator has been appointed being the Sub-Inspector of Schools (S.E.), Purba Medinipur.

Mr. Singh, learned advocate appearing for the State respondents has placed before this Court a report filed by the respondent no.3. Let the same kept on record. It appears from the said report that the petitioner duly appeared before the administrator and submitted a declaration on 5th February, 2020. Thereafter a resolution was adopted on behalf of the school on 21st December, 2020 observing that the annual increment would be allowed with effect from 1st July, 2013. A letter to that effect was also issued to the respondent no.3 by the administrator of the school on 21st December, 2020. In the said letter it was also stated that the arrear claim of the petitioner would be calculated as early as possible.

In view thereof, this Court directs the administrator of the said school to ensure disbursement of the petitioner's increment along with her current salary and to draw up the arrear claim and to forward the same to the respondent no.3 within a period of four weeks from the date of communication of this order.

The said respondent no.3 shall thereafter take all follow-up steps and ensure that the arrear claim is disbursed in favour of the petitioner within a period of two months thereafter.

With the above observations and directions, the writ petition is disposed of.

There shall however be no order as to costs.

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

(Tapabrata Chakraborty, J.)