

17.12.2020

Item No.05
Court No.25
Avijit Mitra

W.P.A. No. 10715 of 2020 (Via Video Conference)

**In re: Tapati Kayal
- Versus -
State of West Bengal & Ors.**

Mr. S. Ray,
Mr. Ashok Kumar Jha
For the Petitioner
Ms. Chaitali Bhattacharya,
Mr. Mrinal Kanti Ghosh
For the State respondents

Affidavit of service filed by the petitioner be kept on record.

Mr. Ray, learned advocate appearing for the petitioner submits that the petitioner approached this Court earlier alleging inaction on the part of the State authorities to disburse the petitioner's arrear claim. The said writ petition being W.P. No.10409 (W) of 2019 was disposed of relegating the issue to the respondent no.4 for consideration. Pursuant to the said order, the respondent no.4 conducted a hearing on 21st November, 2019 and issued a memo dated 12th March, 2020 observing *inter alia* "that an arrear claim has been submitted by the school authority. Grant-in-Aid Cell of this office is directed to place the claim within seven days. The said claim ought to be verified by the Joint Director of Accounts and be thereafter forwarded to the Commissioner of School Education (if found correct). In

case any error is identified, the same be communicated to the school authority forthwith”.

He further submits that in spite of issuance of the said memo dated 12th March, 2020, the authorities have not yet disbursed the arrear claim in favour of the petitioner.

Ms. Bhattacharya, learned advocate appears on behalf of the State respondents.

Upon hearing the learned advocates appearing for the respective parties and in view of the observations made in the memo dated 12th March, 2020, the writ petition is disposed of directing the respondent nos. 2 to 4 to take all necessary follow-up steps towards disbursement of the petitioner's arrear claim, in accordance with law and subject to compliance of necessary formalities, if any, by the petitioner and the school authorities within a period of six weeks from the date of communication of this order along with a copy of the writ petition.

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.)