

WPO/308/ 2020
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

TAPAS KUMAR DAS
Versus
THE STATE OF WEST BENGAL AND ORS.

BEFORE :
The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA
Date : 20th November, 2020

Appearance:
Mr. Anjan Bhattacharya, Adv.
Ms. Anita Shaw, Adv.

The Court : Despite service, none appears on behalf of the respondents.

Affidavit of service filed today be kept on record.

The limited grievance of the petitioner is that, despite a specific direction of a co-ordinate Bench dated February 19, 2019 passed in WP No.47 of 2019, directing the concerned authorities to permit the petitioner to join the concerned school with immediate effect and the District Inspector and Superintendent of Police as well as the Inspector-in-charge to extend all support to the petitioner to that effect, no steps for disbursal of the salary of the petitioner for the period under suspension of the petitioner, initially directed but later disapproved, are being taken.

In such view of the matter, the petitioner made several representations to the appropriate authorities (annexed at page 43 onwards of the writ petition) but without any result.

In view of the previous order of the co-ordinate Bench and in view of the suspension of the petitioner having been disapproved by the appropriate authorities, it prima facie appears that the petitioner is entitled to disbursal of such salary subject to compliance of formalities.

Accordingly, WPO No.308 of 2020 is disposed of by directing the respondent no.3 to immediately consider the representations of the petitioner, annexed at page 43 onwards of the instant writ petition, latest within three weeks from the date of communication of this order to the said respondent. The respondent no.3 shall intimate its decision to the petitioner and take necessary steps consequentially at the earliest thereafter. It is made clear that the respondent no.3 shall give a hearing to the interested parties, including the petitioner, before taking appropriate steps on the representations of the petitioner.

There will be no order as to costs.

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

(SABYASACHI BHATTACHARYYA, J.)

bp.