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W.P.A. 733 OF 2020

(Through Video Conference)

Sri Suvendu Chakravarty

Vs.

The State of West Bengal & Ors.

Mr. Partha Sarathi Bhattacharyya
Mr. Raju Bhattacharyya.

... For the Petitioner

Mr. Jahar Lal De
Mr. Shamim ul Bari.

... For the State.

1. This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the inaction on the part of the respondent/school authorities and the respondent/State authorities in processing his retiral benefits.

2. Mr. Jahar Lal De, learned counsel appearing on behalf of the respondent/State submits that letters have been written to the administrator by the District Inspector of Schools (S.E.), Dakshin Dinajpur (hereinafter referred to as the 'D.I.') with reference to certain documents that are required from the school authorities for the purpose of processing the retiral benefits of the petitioner. He submits that inspite of several letters, there has been no response on behalf of the school authorities. He also submits that certain documents are required to be counter-signed by the teacher-in-charge and necessary

Government Orders are required to be informed to the D.I.

3. Since the school has not appeared in this matter in spite of service, I draw an adverse inference against the school authorities.

4. In light of the above submission, I direct the school authorities to ensure that all formalities in relation to release of the retiral benefits of the petitioner should be completed by the school authorities from their end within a period of five weeks from date of communication of this order. Upon completion of the said formalities, the D.I. is directed to act expeditiously in accordance with law.

5. With the above direction the writ petition is disposed of. There will be no order as to costs.

6. Since no affidavit-in-opposition is called for, the allegations made in the writ petition are deemed not to have been admitted.

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

(Shekhar B. Saraf, J.)