

Ct. No. 26
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akb

**12.03
2021**

W.P.A. 3071 of 2021
Sabita Saha
-Versus-
State of West Bengal & Ors.

Mr. Sayan De
Mr. Kaustav Shome **...For the Petitioner**
Ms. Chaitali Bhattacharya **...For State Respondents**

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 authorities in relation to considering the representation of the petitioner dated January 13, 2021 with regard to pension of the petitioner as per the Post Graduate Scale of pay lastly drawn by her at the time of her retirement together with other post retiral benefits of gratuity and commutation.

I have heard learned Counsel appearing on behalf of the respective parties and perused the materials placed on record.

After having heard the learned Counsel for the parties, I direct the District Inspector of Schools (S.E.), Paschim Medinipur, being the respondent No. 4, to consider the representation dated January 13, 2021 made by the petitioner with regard to pension of the petitioner as per the Post Graduate Scale of pay lastly drawn by her at the time of retirement together with other post retiral benefits of gratuity and commutation upon granting an opportunity of hearing to the petitioner, and thereafter, pass necessary reasoned order within a period of four weeks from the date of communication of this order.

Needless to mention, if the reasoned order is in favour of the petitioner, other post retiral benefits of gratuity

and commutation, if any, shall also be paid to the petitioner in accordance with law.

The reasoned order should be communicated to petitioner within a week from the date of passing such reasoned order

With the aforesaid observation the writ petition is disposed of.

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

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties, on priority basis..

(*Shekhar B. Saraf, J.*)