

S/L 4
19.03.2021
Court No.26
SD

WPA 2441 of 2020
(Via Video Conference)

Md. Enamul Haque
Vs.
The State of West Bengal & Ors.

Mr. Saibal Acharyya
Mr. Subir Hazra

...for the Petitioner.

Ms. Chaitali Bhattacharyya
Mr. Kartick Chandra Kapas

...for the State.

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the prayer for implementation of an order dated March 19, 2001 passed by a coordinate Bench of this High Court.

By the said order, the respondents were directed to approve the appointment of the petitioner and the petitioner was entitled to financial benefit from the date of approval of the service. The order specifically provided that the notional service benefit shall be given to the petitioner from the date of initial appointment.

In light of the fact that this order has reached finality, the notional service benefit shall have to be given to the petitioner, as per the earlier order, from the date of his initial appointment but the same is still to be given.

In light of the above, the District Inspector of Schools (S.E.), Murshidabad being the respondent no.3 herein is directed to grant the notional service benefit to the petitioner

from the date of initial appointment within a period of six weeks from date.

With these above observations and directions, this writ petition stands 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 upon compliance of all necessary formalities.

(Shekhar B. Saraf, J.)