

Ct. 05
Item No.107
29.09.2021
(suvendu)

WPA 9655 OF 2021

(VIA VIDEO CONFERENCE)

Md. Shis
Vs.
The State of West Bengal & Ors.

Mr. Sarwar Jahan
Mr. Sk. Nayeemul Haque
.....for the petitioner

Mr. Swapan Kumar Dutta
Ms. Soumi Guha Thakurta
.....for the State

The writ petitioner was a Siksha Samprasarak in Madhyamik Shiksha Kendra, which is being run under Minority Affairs and Madrasah Education Department, Government of West Bengal.

Grievance of the writ petitioner is that he was paid honorarium till the age of sixty three years six months, which he attained in the month of September, 2017 and subsequently his monthly honorarium was stopped. The writ petitioner prays for release of monthly honorarium till the age of sixty five years.

Mr. Swapan Kumar Dutta, learned Additional Government Pleader appears on behalf of the State-respondents and submits on instruction that age of retirement of Samprasarak working in Madhyamik

Shiksha Kendra, which is being run under Minority Affairs and Madrasah Education Department, Government of West Bengal, is sixty five years. But at the same time, he draws attention of this Court to paragraph -13 as well as prayer (a) of the writ petition to submit that there are certain discrepancies with regard to the period during which the writ petitioner is entitled to receive arrear honorarium.

This Court has considered the rival submissions made on behalf of the respective parties to this writ petition.

Upon finding the fact that one representation dated 12th March, 2021 has already been made by the writ petitioner but the same needs to be addressed to the Director of Madrasah Education, Government of West Bengal, which has not been done in the present case. The writ petitioner shall be at liberty to prefer a representation addressed to the Director of Madrasah Education, Government of West Bengal, being the respondent no. 2, within a period of fortnight from this day. If such representation is made to the respondent no. 2 within aforesaid period, the respondent no.2 in his turn shall consider the said representation of the writ petitioner in accordance with law and pass a reasoned order within twelve weeks thereafter.

Decision to be taken by the respondent no.2 on receipt of such representation of the writ petitioner, shall be communicated to the writ petitioner within two weeks thereafter.

Accordingly, the writ petition stands disposed of without any order as to costs.

All parties to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

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

(Saugata Bhattacharyya, J.)