

Court No. 24

**15.09.2021**

(Item No. 9)

(AB)

**W.P.A 9807 of 2021  
(Via Video Conference)**

Dipak Majumder

vs

The State of West Bengal & Ors.

Mr. Srijib Chakraborty

Mr. Sunny Nandy

Mr. Tamal Singha Roy

..... for the petitioner

Mr. Sirsanya Bandyopadhyay

Ms. Sudeshna Das Majumdar

.....for the State

Mr. Anil Kumar Gupta

Mr. Ram Jee Singh

..... For U.G.C.

Affidavit of service filed in Court today is taken on record.

By an order dated 18<sup>th</sup> December, 2014 the petitioner who was the Ex-Headmaster and Coordinator (Vocational, Education and Training), Ramsankarpur High School (H.S.) was appointed to the post of Chairman, West Bengal Regional School Service Commission, South Eastern Region till he retains the age of 62 years. The petitioner retired from service on attaining his normal age of superannuation on 31<sup>st</sup> May, 2016.

According to the petitioner, he is entitled to receive payments in terms of ROPA 2009. The same has been paid to the petitioner in accordance with ROPA 2001.

The petitioner made a representation on 12<sup>th</sup> November, 2019 before the Principal Secretary, School Education Department highlighting his grievance.

He alleges that the said representation has not been considered by the respondent authority till date.

As it appears that the representation filed by the petitioner is pending consideration at the end of the respondent authority, no useful purpose will be served by keeping the writ petition pending.

The writ petition is disposed of by directing the respondent No. 2, being the Principal Secretary, Department of School Education, Secondary Branch to consider and dispose of the representation made on behalf of the petitioner by his learned advocate strictly in accordance with law, at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

The said respondent, if required, shall afford an opportunity of hearing to the petitioner to place relevant documents in support of his stand.

The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

It is made clear that this Court has not entered into the merits of the claim made by the petitioner and all points are left open to be decided by

the aforesaid respondent at the time of consideration of the representation of the petitioner.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

**(Amrita Sinha, J.)**