

22 30.09.2021
rkd Ct.05

W.P.A. 14846 of 2021
(Through Video Conference)

Debasis Ari

-vs-

The State of West Bengal & Ors.

Mr. Anindya Bose,
Mr. Tamal Taru Panda

....for the petitioner.

Mr. Pritam Chowdhury,
Mr. Abhisek Addhya

....for the respondent nos.6 & 7.

Mr. Rajarshi Basu,
Mr. Parikshit Goswami

....for the State.

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

Writ petitioner is an assistant teacher in a Government aided secondary school with effect from 21st October, 2009 with the sanction of honours graduate scale of pay. Such appointment of the writ petitioner was made on the basis of the recommendation made by School Service Commission vide Memo dated 13th August, 2009 whereby petitioner was recommended for being appointed as assistant teacher under Hons./P.G. category. Prior to joining of the writ petitioner in the post of assistant teacher in Basudebpur Maharaj Nandakumar High School (HS) he was working in another school with pass graduate scale of pay. The grievance of the petitioner is after

joining of the petitioner in the present school with effect from 21st October, 2009 and subsequent sanction of pay of the petitioner in honours graduate scale by the concerned District Inspector of Schools (S.E.), Purba Medinipur vide Memo dated 10th December, 2015 though he is getting honours graduate scale of pay with effect from 1st April, 2015 but the arrear amount of such higher scale of pay for the period of 21st October, 2009 to 31st March, 2015 has not yet been released by the concerned respondent authorities.

Mr. Bose, learned advocate appears on behalf of the writ petitioner and draws attention of this Court to the Memo dated 17th October, 2016 issued by the concerned District Inspector of Schools wherefrom it appears that the arrear dues to the tune of Rs.289521/- has already been sanctioned in favour of the writ petitioner pursuant to the order passed by the Commissioner of School Education. Petitioner prays for release of such arrear amount of R.289521/- immediately.

Mr. Basu, learned advocate represents the State respondents and submits that the petitioner is already in receipt of honours graduate scale of pay with effect from 1st April, 2015 and so far arrear is concerned for the period from 21st

October, 2009 to 31st March, 2015 the same is under process and necessary steps to be taken in accordance with law for releasing the said amount.

This Court has heard the learned advocates representing the parties to this writ petition and directs the State respondents to release the arrear dues of the writ petitioner as appears from Memo dated 17th October, 2016, page 20 of the writ petition, to the tune of Rs.289521/- within a period of eight weeks from the date of communication of this order. Though the petitioner has prayed for interest on the said arrear amount but during the course of hearing the same prayer has not been pressed.

With the above direction, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)