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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 15366 of 2021
(Via Video Conference)

Ratna Sen
Vs.
Union of India & Ors.

Mr. Rajat Datta, led by
Mr. Soumya Majumder,
Ms. Debjani Mitra
.... For the petitioner.

Mr. Kumar Jyoti Tewari
... For the respondents.

The affidavit of service affirmed on 16th November, 2021 filed in Court today is taken on record.

The petitioner claims to be a Pathology Technician in National Institute of Locomotor Disabilities (Divyangjan), situate at Bon-Hooghly, Kolkata. The petitioner is aggrieved by the alleged anomaly in her pay and allowances. The petitioner says that he is entitled to upgraded pay scale of Rs.9300-34800 with grade pay of Rs.4600/-, being the Basic Pay for (PB-2, Gr. B) from 1st January, 2006. The petitioner has also sought for a direction upon the respondents to decide on the recommendation of the Anomaly Committee Minutes dated 10th November, 2016, which appears as Annexure P-6, page 26 of the writ petition. The name of the petitioner figures in serial no.2 in such minutes.

The respondent no.1 has pointed out to a memo

dated 20th July 2018 written by the Deputy Secretary to the Government of India, Department of Empowerment of Persons with Disabilities (Divyangjan), which appears as Annexure P-11, page 43 of the writ petition. It appears from the said memo that the respondent no.3 was requested to provide comments on the representations made by the petitioner, the last of which was dated 2nd July, 2018. The respondent no.1 says that the respondent no.3 has not yet forwarded his comments on the petitioner's representation.

After hearing the parties and considering materials on record, the writ petition is disposed of by directing the respondent no.3 to decide on the petitioner's representation by affording the petitioner a reasonable opportunity of hearing following Covid-19 protocol within a period of four weeks from date.

The respondent no.3, shall pass a reasoned order and communicate the same to the petitioner and the respondent no.1 within seven days from the date of passing of such order. The respondent no.1 shall treat the said order as his/her comments on the petitioner's representation in terms of the memo dated 20th July, 2018.

The petitioner shall communicate a server copy of this order to the respondents who shall act on the basis thereof without insisting upon a certified copy thereof.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly without any order as to costs.

Since I have not called for any affidavit, allegations made in the writ petition are deemed to have not been admitted.

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

(Arindam Mukherjee, J.)