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04.10.2021.
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

**W.P.A 13811 of 2019
(Via Video Conference)**

**Sugata Mukherjee
-versus
State of West Bengal & Ors.**

**Mr. Sugata Mukherjee.
...Petitioner in person.**

**Mr. Amitabha Ghosh.
...For the Respondent
Nos. 4 and 5.**

**Mr. Bhaskar Prasad Vaisya,
Mr. Sagnik Chatterjee.
...For the State.**

Assigned

Report in the form of affidavit filed on behalf of the School in Court today is taken on record.

It has been submitted by the petitioner as well as the learned advocate representing the School that the petitioner is attending School and taking classes on regular basis in terms of the order passed by this Court on 27th August, 2021.

The petitioner submits that the period during which he was not permitted to enter School, be treated as period spent in service.

It has further been submitted that the salary for the month of September 2021 has been released at a reduced rate.

The petitioner has already filed a tabulation sheet and forwarded it to the District Inspector of Schools regarding his claim for unpaid salary. The said tabulation sheet was made incorporating calculation till January 2021.

The petitioner is granted leave to file up-to-date claim for unpaid salary and forward the same to the District Inspector of Schools.

The District Inspector of Schools shall take a decision with regard to the prayer of the petitioner for payment of unpaid salary and will also take a decision with regard to the prayer of the petitioner to treat the period during which he was allegedly not permitted to attend school as period spent on duty.

The District Inspector of Schools shall afford an opportunity of hearing to the petitioner as well as the representative of the School and pass a reasoned order in the matter within a period of eight weeks from the date of communication of a copy of this order along with the updated tabulation sheet.

In the event the District Inspector of Schools is of the opinion that the petitioner is entitled to any pay in accordance with the tabulation sheet, then necessary consequential steps shall be taken by the District Inspector of Schools.

The submission of the petitioner that a reduced rate of salary has been paid to him for the month of

September 2021 shall also be looked into by the District Inspector of Schools. In the event it appears that the salary has indeed been paid to the petitioner at a reduced rate, the District Inspector of Schools shall intimate the petitioner the reason for such reduced payment that has been made in his favour.

It is needless to mention that the petitioner will be permitted to continue his duties in the School on regular basis.

W.P.A. 13811 of 2019 stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)