

26.10.2021.
Item No. 22
Ct. No. 08
AB & PG

M.A.T. 1189 of 2021
With
I.A. No. CAN 1 of 2021
The Teacher-in-Charge,
Baltikari Muktaram Dey High School
& Anr.
Vs.
Santanu Ghosh & Ors.

Mr. Partha Sarathi Bhattacharya, Sr. Adv.
Mr. Raju Bhattacharya.....for the appellants

Mr. Pratik Majumder.....for the respondent
No. 1/writ petitioner

This is an application in relation to an appeal filed against an order dated October 08, 2021 wherein the learned Single Judge has directed removal of the present Teacher-in-Charge with a direction upon the District Inspector of Schools to appoint a new Teacher-in-Charge.

It is to be noted that the prayer in the writ petition was with regard to release of the pensionary benefits and the Teacher-in-Charge had submitted a flow-chart showing the movement of the file of the petitioner concerned. Counsel has further submitted that the Provident Fund was released to the petitioner and the pension shall follow suit.

Upon perusal of the records, we are of the view that the removal of the Teacher-in-Charge may not be required and accordingly, that portion of the

order is set aside. The Teacher-in-Charge is directed to ensure that the Pension Payment Order is issued when the matter is to appear before the Single Bench on November 10, 2021. In the event the same is not shown, the District Inspector of Schools and the Teacher-in-Charge shall both be deemed to be at fault.

Appeal is allowed as directed above and the connected application stands disposed of accordingly.

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

(Shekhar B. Saraf, J.)

(Sugato Majumdar, J.)