

February 15, 2021

ARDR

(35)

WPA 25037 of 2017

Matiar Rahaman

Vs.

The State of West Bengal & ors.

Mr. A. J. Sengupta

...for the petitioner.

Mr. Arindam Chattopadhyay,

...for the State.

The grievance of the petitioner is directed against the failure of the State respondents to disburse the arrear salaries of the petitioner who was working as “*Sahayak*” with the office of the Salar Gram Panchayat.

The petitioner has prayed for salary from 4th April, 2002 till 30th November, 2006.

Pursuant to directions by this Court, the petitioner has filed two separate Supplementary Affidavits.

In the first Supplementary Affidavit filed by the petitioner, the petitioner relies on a letter dated 30th November, 2006, whereby it is clearly recorded that the petitioner had joined the service as a *Sahayak* from 30th November, 2006.

In the second Supplementary Affidavit filed by the petitioner, the petitioner has relied on a Deed of Appointment signed by the concerned Gram

Panchayat, whereby it is recorded that the petitioner was working since 2002.

Mr. Chattopadhyay appears for the State and strongly refutes the contentions of the petitioner that he has been working since 2002.

He relies on the petitioner's letter dated 29th November, 2006, *inter alia*, recording that the petitioner was working in the concerned Gram Panchayat since 30th November, 2006.

In view of the disputes questions of fact and the fact that the petitioner's own letter dated 30th November, 2006 recording that the petitioner has been working since 30th November, 2006, there is no question of granting any relief to the petitioner in so far as arrear salaries since 2002 is concerned.

WPA 25037 of 2017 is accordingly, dismissed.

(Ravi Krishan Kapur, J.)