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***CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION
(Via Video Conference)***

W.P.A. 116 OF 2021

Kausallya Thapa & Ors.

-vs.-

The State of West Bengal & Ors.

Mr. Amritam Mondal
Mr. Debasish Mukhopadhyay.

....For the Petitioner

Mr. Subir Kumar Saha
Mr. Bikramaditya Ghosh.

....For the State

1. This writ petition is at the instance of four petitioners having identical but independent causes of action. Petitioners do hereby undertake to deposit the deficit stamp duties within seven days from date.

2. This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the Memo dated November 24, 2017 passed by the Deputy Director of School Education (R/P), West Bengal and also inaction on the part of the Government authorities in granting the pensionary benefits from the date of joining of the petitioners.

3. To buttress their argument the petitioners rely on the judgment dated August 29, 2019 that has

been passed in respect to the same Memorandum dated November 24, 2017.

4. Mr. Bikramaditya Ghosh, learned counsel appearing on behalf of the State fairly submits that this matter can be disposed of by directing the respondent no.2, The District Inspector of Schools (Primary Education), Jalpaiguri to consider the applications of the petitioners, keeping in mind the judgment dated August 29, 2019.

5. I have heard counsel appearing for the parties and perused the impugned Memorandum dated November 24, 2017. In my view, this matter has to be sorted out properly by the authority concerned.

6. In light of the same, I direct the respondent no. 2 to consider the applications of the petitioners by granting an opportunity of hearing to them and thereafter, pass a reasoned order within a period of six weeks from date and shall be communicated to the petitioners within one week thereafter.

7. With the above direction the writ petition is disposed of. There will be no order as to costs.

8. Since no affidavit-in-opposition is called for, the allegations made in the writ petition are deemed not to have been admitted.

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

(Shekhar B. Saraf, J.)