

16.06.2022
Item Nos.4 & 5
Court No.6.
S. De

W.P.C.R.C. 35 of 2018
in
W.P.A. 1454 of 2017

Apurba Kanti Ghosh & Anr.
Vs
Raja Ghosh & Anr.

Mr. Bikash Ranjan Neogi,
Ms. Soma Chakraborty,
...for the petitioners.

Mr. Subir Sanyal,
Ms. Sumita Sen,
...for the alleged contemnors.

Mr. Bhaskar Prasad Vaisya,
Sk. Md. Masud,
...for the State.

The present grievance of the petitioners is that although they have rendered service till 2020, they have received salary only till May, 2010, in part compliance of the order dated May 21, 2010 passed in W.P. No. 1041(W) of 2000 read with order dated September 13, 2017 passed in W.P. No. 1454 (W) of 2017.

By the order dated September 13, 2017 I had only directed the Chairman of the concerned D.P.S.C. to comply with the judgment and order dated May 21, 2010 passed in the earlier writ petition. The said order directed the D.P.S.C., Birbhum to make available all consequential benefits of service that have accrued in favour of the writ petitioners in terms of

their appointment letters dated October 14, 1999. This necessarily means that the direction was for payment of the dues that had accrued till May 2010. There was no direction for payment of salary or other emoluments for the subsequent period. It is not in dispute that the petitioners have received their dues for the period till May 2010. For the subsequent period if the petitioners have any claim, they will have to lodge such claim with the respondents and in the event of the respondents not allowing their claim they will have to approach the appropriate legal forum in accordance with law.

The rule stands discharged.

W.P.A. 1454 of 2017 is disposed of.

(Arijit Banerjee, J.)