

Item No. 85

20.05.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 8106 of 2022
Sipra Biswas (Mukhopadhyay)
v.
The State of West Bengal & Ors.

Mr. Syed Mansur Ali
... for the petitioner.
Mr. Tapan Kumar Mukherjee
Mr. Sangeeta Roy
... for the State.
Mr. Biswasbrata Basu Mallick
... for the Council.

The petitioner is a primary school teacher. She is due to attain her age of superannuation in June 2022.

According to the petitioner there will be a shortfall in her qualifying service period.

The petitioner prays for condoning the shortfall in her qualifying service period so that she may be eligible to receive pension after her superannuation.

The petitioner has approached the Principal Secretary to the Government of West Bengal, School Education Department by filing a comprehensive representation along with the documents in support of her prayer on November 11, 2021.

She alleges that the said representation has not been considered by the said authority till date.

As it appears that the representation filed by the petitioner is pending consideration at the end of the

Principal Secretary to the Government of West Bengal, School Education Department, accordingly the writ petition is disposed of by directing the respondent no. 5 to consider and dispose of the representation filed by the petitioner on November 11, 2021 strictly in accordance with law, at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

The said respondent shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

It is made clear that this Court has not entered into the merits of the claim of the petitioner and all points are left open to be decided by the said respondent at the time of consideration of the representation filed by the petitioner.

The petitioner is directed to forward a copy of her representation dated November 11, 2021 along with all supporting documents to the aforesaid respondent at the time of communicating the order of this Court.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)