

27.06.2022.
Court No.13
Item No. 44
pk

W. P. A. 10337 of 2021

**Sanat Kumar Bandyopadhyay
Versus
State of West Bengal and others**

Mr. S. N. Biswas.

...For the petitioner.

Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee

..For the State.

Despite service of notice, the school is not represented. Affidavit of service filed in Court is taken on record.

The writ petitioner is aggrieved that despite repeated requests, he has not been allowed pay scales in terms of ROPA 2019. The petitioner claims to have put in option form and requests to the Teacher-in-Charge, Bora High School, Thakurnagar, North 24 Parganas but in vain. The petitioner is a retired headmaster.

The instructions of the D. I. of Schools(S.E.), North 24 Parganas addressed to the State advocate is taken on record. The D. I. of Schools (SE), North 24 Parganas, has submitted that relevant papers have not been received by his office despite communication dated 28th April, 2021, and e-mail has also been addressed to the A. D. I. (S.E.), Bangaon on 10.02.2021. thereafter all the relevant papers has

been dispatched to the concerned school authorities vide Memo No.1060/G by the ADI (SE), Bongaon for action by the concerned school authorities.

This Court notes with dismay the delay in releasing the benefit of ROPA 2019 and payment of any entitlement and arrears to the writ petitioner.

In that view of the matter, the Teacher-in-Charge, Bora High School, shall within a period of ten days from date of receipt of a copy of this order, process all papers relating to the claims of the writ petitioner for pay scales in terms of ROPA 2019, and forward the same to the D. I. of Schools, Barasat, North 24 Parganas.

The D. I. of Schools (SE), North 24 Parganas, shall thereupon scrutinize the same and recommend appropriate revision of pay scales in favour of the writ petitioner to the Director of Pension, Provident Fund and Group Insurance, West Bengal. The Director shall thereupon suitably amend the petitioner's Pension Payment Order and all arrears together with interest @ 8 per cent per annum on such arrears, shall be released by the Director of Pension, Provident Fund and Group Insurance, West Bengal within one month thereof, mandatorily and positively.

The D. I. of Schools (SE), North 24 Parganas shall cause enquiry as to the reasons for the delay in releasing of ROPA 2019 benefit to the petitioner since

after the date of receipt of the petitioner's application. In the event it is found that any person or persons including the teacher-in-charge, Bora High School, is responsible for the same, the interest component on arrears payable to the writ petitioner as directed hereinabove shall be recovered out of the salary and emoluments of the concerned person and credited to the account of the State i.e. office of the D. I. of Schools at Barasat.

Strict, urgent and expeditious compliance of the aforesaid order is expected.

The writ petition is disposed of.

There will be no order as to costs.

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

(Rajasekhar Mantha, J.)