

07.11.2022
Item No. 38
BR

WPA 13466 of 2022

Apurba Krishna Das
Vs.
State of West Bengal & Ors.

Mr. Falguni Bandopadhyay,
Mr. Jagadish Chandra Halder,
Ms. Riya Ballav
...for the petitioner

Mr. Rajaram Banerjee,
.... For the State

Mr. Kamal Mishra,
Mr. Pratap Sanpui
.... For the respondent no. 3

Affidavit-of-service filed in Court today is taken on record.

The petitioner claims that he was appointed as a Group-D employee of the respondent no.3. He joined in the year 1982. He retired in the year 2018. Since 2014 he was promoted to Group-C employee.

According to the petitioner, he has not received his pension and other allied service benefits. The petitioner claims that a representation dated May 20, 2022, being Annexure P-3 to the writ petition was submitted but the same did not receive any attention of the said authority.

In view of the above, the respondent no.2 shall consider the said representation of the petitioner dated May 20, 2022, Annexure P-3 to the writ petition upon giving at least seven day's hearing notice to the petitioner and after giving an opportunity of hearing to the petitioner and shall decide the issue with its reasoned order/decision.

The relevant College Authority is also at liberty to participate in this hearing process. The College Authority shall also be served with the hearing notice as directed above by the respondent no.2. The entire exercise as directed above shall be carried out and completed by the respondent no.2 within a period of six weeks from the date of communication of this order. The respondent no.2 then shall communicate his reasoned order/decision to the petitioner and the relevant College Authority within a further period of two weeks from the date of such reasoned order passed.

In the event the reasoned order goes in favour of the petitioner then all the consequential steps shall be taken by the respondent nos. 2, 4 and 5 positively within a further period of four weeks from the date of communication of the reasoned order to them.

It is made clear that this Court has not gone into the merits of the writ petition in any manner.

The petitioner shall be at liberty to urge all the points he wishes to urge and to rely upon whatever documents and records he wishes to rely before the respondent no. 4.

Since affidavits are not called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

On the above terms this writ petition, **WPA 13466 of 2022** stands disposed of, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy , J.)