

27 14.11.2022
Sc Ct. no.22

WPA 15836 OF 2022

Bipadtaran Patra

Vs.

State of West Bengal & Ors.

Mr. Kamalesh Bhattacharya

Mr. Aninda Bhattacharya.

....For the petitioner

Mr. Bhaskar Prasad Vaisya

Mr. Sagnik Chatterjee.

....For the State

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

None appears for the State, nor any accommodation has been prayed for though it appears from the affidavit-of-service that the learned State counsel has been served with the due notice.

Mr. Bhaskar Prasad Vaisya, learned State counsel is present in Court who normally appears on behalf of the State in this type of matters. Mr. Vaisya is requested to appear for the State in this matter and to hold this brief. His engagement is directed to be regularised by the office of the learned Government Pleader forthwith.

Mr. Kamalesh Bhattacharya, learned counsel appearing for the writ petitioner drew attention of this Court to a decision dated August 16, 2021 of the respondent no.3, **Annexure -P2** to the writ petition. He

submitted that despite said decision, the respondent no.3 has not taken any further steps in the matter.

Considering the above, the respondent no.3 is directed to take steps forthwith in terms of its decision dated August 16, 2021, **Annexure-P2** to the writ petition strictly in accordance with law. The said exercise shall be carried out and completed by the respondent no.3 within a period of five weeks from the date of communication of this order.

The writ petitioner had retired with effect from January 31, 2021.

Following the steps to be taken by the respondent no.3 all consequential and necessary steps shall be taken by the respondent nos. 5 and 7 immediately and positively within a further period of four weeks from the date of communication to be received by them from the respondent no.3.

It is made clear that this Court has not gone into the merit of the claim of the writ petitioner. If any further assistance is required by the respondent no.3 and/or by the respondent nos. 5 and 7 from the petitioner, the petitioner will render all such assistance to them.

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

On the above terms this writ petition, **WPA 15836 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.)