

25.01.2022
Item No. 58
Ct. No.17
S.A.

WPA 18185 of 2021

(Via Video Conference)

Debali Das & Ors.

-vs-

The State of West Bengal & Ors.

Mr. Ekramul Bari

Ms. Tanuja Basak

...for the petitionerS

Mr. Bhaskar Prasad Vaisya ...ld. AGP

Mr. Sagnik Chatterjee

...for the State

The writ Application has been filed by the three writ petitioners. Full court-fees has been paid against the entry no. A-12671 dated 22.11.2021.

The petitioners' case is that they are teachers of a dearness allowance getting school. They have given benefit till November, 2020 under ROPA 2019. They are here for suitable modification of the memorandum published in the Kolkata Gazette on December 13, 2019 being Annexure P-4.

Learned advocate for the respondents submits that the petitioners have stated in paragraph 13 of the writ application that the role of State authority is extremely limited and that is up to providing financial assistance for D.A. and that is why the school and State cannot be blamed for issuance of this memorandum dated 13.12.2019.

However, I am not entering by this question as of now considering the provision and submission made by the parties.

I direct the petitioners to file one comprehensive representation to the Secretary of School Education within a period of two weeks from date and the secretary will consider the said representation after giving an opportunity to the petitioners or their representatives within a period of six weeks thereafter and to pass a reasoned order after two weeks after the expiry of the above six weeks period.

Learned advocate for the petitioners has submitted that if the school is agreeable for such benefits given to their teachers, there shall not be any bar. However, the Secretary, School Education will consider this aspect if it is taken in the said representation to be filed by the petitioners.

With the above observation and direction, this writ application is disposed of.

Affidavit of service filed in Court today be kept on record.

Urgent certified website copy of this order, if applied for, be made available to the parties upon compliance of the formalities.

(Abhijit Gangopadhyay, J.)