

Court No. 24
05.01.2022
(Item No. 39)
(AB)

W.P.A. 19114 of 2021
(via video conference)

Nayan Sen
VS
The State of West Bengal & Ors.

Mr. Guddu Singh
... for the petitioner.
Mr. Bhaskar Prasad Vaisya
Mr. Nilay Baran Mondal
... for the DPSC
Mr. Supriyo Chattopadhyay
Ms. Sayantanee Bhattacharjee
..... for the State

The petitioner retired as a teacher of a Primary School. The contention of the petitioner is that his past service as GDA in the Health Department of the State be taken into consideration for the purpose of calculating his pensionary benefit.

It appears from the documents annexed to the writ petition that a hearing was called by the District Inspector of Schools, Primary Education, Purulia on 5th October, 2021 to redress the above grievance of the petitioner. The petitioner submits that he attended the hearing and made necessary submissions in support of his claim.

The petitioner contends that the fate of the hearing has not been disclosed to him till date.

As it appears that the District Inspector of School, Primary Education, Purulia has already conducted hearing on 5th October, 2021 it is incumbent that the said authority passes an order and intimates the same to the petitioner so that he may know the fate of his claim.

In view of the above, the instant writ petition is disposed of by directing the District Inspector of Schools, Primary Education, Purulia to take a decision with regard to the prayer of the petitioner in accordance with law, at the earliest, but positively within a period of six 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.

The petitioner is directed to forward a copy of the communication dated 2nd June, 2008 being memo No. 523 issued by the Chairman/Secretary, District Primary School Council, Purulia, the communication being memo No. 429/MC dated 27th May, 2009 by the Superintendent, Institute for Mental Care, Purulia, copy of the memo No. 521 dated 29th September, 2021 issued by the District Inspector of Schools, Primary Education, Purulia and a copy of the representation made on his behalf by his learned advocate dated 22nd September, 2021 to the aforesaid respondent at the time of communicating the order of the Court.

Be it recorded that the petitioner forwarded the original service book of his previous service to the Chairman/Secretary, District Primary School Council, Purulia through the Chief Medical Officer of Health, Purulia on 27th May, 2009.

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.

(Amrita Sinha, J.)