

22.06.2022.
Court No.13
Item No. 37
ap

W.P.A. No. 17235 of 2019

**Swapan Kumar Das
Versus
The State of West Bengal & Ors.**

Mr. Maidul Islam Kayal,
Mr. Debasis Chattopadhyay,
Mr. Sunit Naskar.

...For the petitioner.

Mr. Sabyasachi Mukherjee,
Mr. Mukesh Khanna.

..For the respondent nos.7 & 8.

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

The writ petitioner retired from Naraindass
Bangur Memorial Multipurpose School on 31st^{Aug}st,
2013. The petitioner is getting pension. He, however,
applied before the School Authority for the Career
Progress Benefits after 18 years and 20 years.

The School in turn has forwarded the same to
the District Inspector of Schools (SE), Barrackpore,
North 24 Parganas. The District Inspector of Schools
(SE), Barrackpore, North 24 Parganas has not taken
any steps thereafter.

The petitioner did not pursue the matter before
the District Inspector of Schools (SE), Barrackpore,
North 24 Parganas except to address the
representation on 16th November, 2016.

In view of the above, since the claim of the petitioner for Career Progression cannot be denied by delay and could be interpreted as a continuing cause of action, the District Inspector of Schools (SE), Barrackpore, North 24 Parganas shall consider the petitioner's representation for grant of increment after complying 18 years and 20 years of service.

Let a decision be taken by the District Inspector of Schools (SE), Barrackpore, North 24 Parganas within a period of one month from the date of communication of a copy of this order.

For the aforesaid purpose, the School shall furnish any documents that shall be required by the District Inspector of Schools (SE), Barrackpore, North 24 Parganas. If it is found that the petitioner is, in fact, entitled to such increments, the salary and emoluments of the petitioner shall stand consequently revised and all arrears shall be paid to him within a period of two months thereafter.

Any consequential revision of pensionary benefits shall also be taken by the District Inspector of Schools (SE), Barrackpore, North 24 Parganas with the Director of Pension, Provident Fund and Group Insurance, West Bengal for issuance of an amended Pension Payment Order.

With the aforesaid observations, the instant writ petitioner shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)