

13 29.9.2022
Sc Ct. no.22

WPA 22063 OF 2022

Dr. Shanta Moulik

Vs.

State of West Bengal & Ors.

Mr. Arka Kumar Nag	
Mr. Rahul Kumar Singh.	 For the Petitioner
Mr. Swapan Kr. Datta	
Mr. Tapas Kr. Dey.	 For the State
Mr. Amitabrata Ray	
Mr. Pradip Kumar Ghosh.	For the Respondent
	No.4/W.B. University
Mr. Pritam Majumdar	For the Respondents
	No. 7 to 9

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

The petitioner claims to be a Lecturer at Senior Scale of the respondent no.7 College. The petitioner prays for granting of benefits of **Career Advancement Scheme** with effect from April 19, 2004. The petitioner submitted a representation dated July 28, 2022, **Annexure-P15** to the writ petition. The same had not received any attention of the relevant State authorities.

Mr. Arka Kumar Nag, learned counsel appears for the writ petitioner with Mr. Rahul Kumar Singh, learned counsel.

Mr. Swapan Kr. Datta, learned counsel appears for the State with Mr. Tapas Kr. Dey, learned counsel.

Mr. Amitabrata Ray, learned counsel appears for the respondent no.4 with Mr. Pradip Kumar Ghosh, learned counsel.

Mr. Pritam Majumdar, learned counsel appears for the respondent nos. 7 to 9.

In view of the above, the representation of the petitioner dated July 28, 2022, **Annexure P-15** to the writ petition, is directed to be considered by the respondent no.2 and/or through any of its competent and authorised officer upon giving a prior hearing notice of at least seven days to the petitioner, respondent no.3, respondent no.7 and respondent no.9 and upon giving them an opportunity of hearing, shall decide the issue by passing a reasoned order.

The entire exercise, as directed above, shall be carried out and completed by the respondent no.2 and/or its competent and authorised officer as directed above within a period of eight weeks from the date of communication of this order.

The respondent no.2 then shall communicate the reasoned order to the petitioner, respondent no.3, respondent no.7 and respondent no.9 within a further period of two weeks from the date of the said reasoned order to be passed. It is to be noted that the petitioner shall retire on **January 31, 2023**.

It is made clear that this Court has not gone into merits of the claim of the petitioner. All points are kept

open to the writ petitioner to be urged before the respondent no.2. The petitioner will be at liberty to urge all points relying upon whatever documents and records she wishes to rely upon at the time of hearing before the respondent no.2.

However, the respondent no.2 shall take a reasoned decision strictly in accordance with law and strictly in terms of the relevant rules and regulations applicable for the petitioner.

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 the writ petition, **WPA 22063 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.)