

M/L 264
07.09.2022
adeb

W.P.A. 22053 of 2019
CAN 1 of 2020
(Application not found)

Ujjwal Mondal
Vs.
The State of West Bengal & Ors.

Mr. Debasish Kundu
...for the petitioner

Petitioner is an assistant teacher working in Majdia Rail Bazar High School, District-Nadia with effect from 02nd November, 2007 and prior to that, petitioner worked as assistant teacher on substantive basis in Bagnapara High School, District-Burdwan with effect from 24th March, 2001 till he joins the post of assistant teacher in Majdia Rail Bazar High School being the second school.

The grievance of the petitioner is in consideration of his initial date of appointment in Bagnapara High School on 24th March, 2001 he completed eighteen (18) years of continuous service on 23rd March, 2019 while he was working as assistant teacher in the second school, but the benefit of eighteen (18) years of continuous service which petitioner is entitled on completion of the said period, has not been extended to him and the concerned authority of Majdia Rail Bazar High School has not forwarded the necessary documents to the

District Inspector of Schools (SE), Nadia for sanction of such eighteen (18) years benefit.

Petitioner has made one representation dated 24th June, 2019 to the District Inspector of Schools (SE), Nadia being respondent no. 4, seeking grant of eighteen (18) years service benefit in his favour. However, till date no decision has been taken by the respondent no. 4.

Today, no one appears for the State-respondents when the matter is considered by this Court.

Having heard the learned advocate representing the petitioner, this Court grants leave to the petitioner to make comprehensive representation to the Commissioner of School Education, West Bengal, being the respondent no. 2, within a period of 30 days from date claiming grant of eighteen (18) years service benefit in his favour. If such representation is made by the petitioner within the aforesaid period, the respondent no. 2 in its turn, shall decide the entitlement of the petitioner to get the benefit of continuous service of eighteen (18) years within a period of twelve (12) weeks from the date of receipt of such representation.

Needless to add, before taking such decision, respondent no. 2 shall grant opportunity of hearing to the petitioner and the representatives of the aforesaid two schools where petitioner worked as assistant teacher and shall pass a reasoned order.

The decision to be taken by the respondent no. 2 shall be communicated to the petitioner within 1 (one) week thereafter.

With the aforesaid direction, the writ petition stands disposed of.

Application if any pending, also stands disposed of.

However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)