

OD-6

ORDER SHEET

WPO/131/2021

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

YOGENDRA KUMAR SHARMA
-VS-
THE STATE OF WEST BENGAL AND ORS

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : June 15, 2022.

Appearance:
Mr. Anjan Bhattacharya, Adv.
...for the petitioner

The Court: In spite of service of notice, respondents are not represented.

Affidavit-of-service is on record.

The writ petitioner seeks modification of the approval of his service in Jay Kay Nagar High School (H.S.), Bidhanbag, Paschim Bardhaman from the year 07.09.1994 in place and stead of 20th March, 2014.

The facts of the case are that the petitioner along with one Ashok Kumar Lal joined the service of the said school in 1985. The approval of the writ petitioner by DI was pending. The petitioner and the said Ashok Kumar Lal moved this Hon'ble Court under Article 226 of the Constitution of India. By an order dated 7th September, 1994, the petitioner's service, *inter alia*, was directed to be considered for regularization since they were working for quite some time.

A second writ petition being WP 13412(W) of 1998 was filed seeking implementation of the said order. Petitioner's service was thereafter approved by a communication dated 20th March, 2014 with effect from 20th March, 2014. A Co-ordinate Bench had directed, in consideration of the entire matter, in respect of the petitioner's colleague Ashok Kumar Lal in WPA 6798 of 2015 and vide judgment dated 6th January, 2022 had directed regularization of service with effect from 7th September, 1994.

This Court is in complete agreement with the views expressed by the Co-ordinate Bench as above. The petitioner herein is similarly circumstanced and joined the said school along with the said Sri Ashok Kumar Lal.

In that view of the matter, the writ petitioner's service shall be regularized with effect from 7th September, 1994. The petitioner shall be paid all arrears of salary from 7th September, 1994 till 27th March, 2014 within a period of two months from the date of communication of this order. The Service Book of the petitioner shall stand appropriately corrected and amended by the DI.

With the above directions, WPO/131/2021 stands disposed of.

There shall, however, be no order as to costs.

(RAJASEKHAR MANTHA, J.)