

**126 (ML)**  
**02.05.2023**  
Ct. No.22  
b.das

**WPA 282 of 2023**

**Kartick Kumar Banerjee**  
**Vs.**  
**State of W. B. & Ors.**

Mr. Lalratan Mondal ...for the petitioner.

Ms. Iti Dutta ...for the respondent Nos.1 & 2.

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

Mr. Lalratan Mondal, learned counsel appears for the petitioner.

Ms. Iti Dutta, learned counsel appears for the respondent Nos.1 & 2.

Despite notice the respondent No.3 chose not to be represented.

The petitioner has been working as Demonstrator (Physics) at **Gushkara Mahavidyalaya, District Burdwan**. The petitioner claimed revision of pay scale in terms of **GO No.752-Edn(CS)/5P-68/99 dated September 22, 2010**.

Learned counsel for the petitioner drawn attention of this Court to **annexure P-1 & P-2 at page 10 and 11** to the writ petition and submitted that, relevant college authority had already sent the records and documents before the respondent No.2 way back in 2013-2017, however, the issue is still pending before the respondent No.2 since then.

The petitioner through his learned Advocate made representation by a letter dated **September 14, 2022 at page 29 to the writ petition**, the same had also not received any attention of the respondent No.2.

Considering the facts stated and submissions made on behalf of the petitioner and on perusal of the materials on record, to sub-serve justice, the respondent No.2 is directed to consider the said representation of the petitioner made through his learned Advocate's, letter dated **September 14, 2022 at page 29 to the writ petition** upon giving at least 7 days prior hearing notice to the petitioner and the respondent No.3 and after giving them an opportunity of hearing shall decide the issue by passing a reasoned order, in accordance with law.

The entire exercise as directed above, shall be carried out and completed by the respondent No.2 positively within a period of six weeks from the date of communication of this order.

The respondent No.2 then shall communicate its reasoned order to the petitioner and the respondent No.3 within a further period of two weeks from the date of the said reasoned order to be passed.

It is made clear that, this Court had not gone into the merits of the claim of the petitioner and the respondent No.3 shall be at liberty to urge whatever points they wish to urge by relying upon whatever documents and records they wish to rely upon before the respondent No.2.

In the event, the reasoned decision goes in favour of the petitioner, the respondent No.3 shall take all necessary and consequential steps to give effect thereto in accordance with

law positively within a period of six weeks from the date of said reasoned order to be communicated to the respondent No.3.

Since affidavits have not been called for, all allegations made in this writ petition are deemed not to have been admitted by the respondents.

It is made clear that, this order shall not create any equity and right in favour of the petitioner, if the petitioner is not eligible to receive his claim strictly in accordance with law.

On the above terms this writ petition being **WPA 282 of 2023** stands disposed of, without any order as to costs.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

**(Aniruddha Roy, J.)**