

7 08.5.2023
Sc Ct. no.22

WPA 1576 OF 2020

Md. Samsujjoha

Vs.

The State of West Bengal & Ors.

Mr. Amitava Raha

....For the Petitioner

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

When the matter was mentioned for listing, a notice dated March 20, 2023 was served upon Mr. Shamim ul Bari, learned counsel appearing for the State respondent. The notice was also received on his behalf. A copy of the writ petition had been served upon Mr. Bari, learned advocate for the State and the notice dated May 3, 2023 intimating that, the matter shall appear before this Court on May 8, 2023 was also notified to him and the notice was received on his behalf.

The petitioner claimed to be a retired **Assistant Teacher of a madrasah. Though he received his pensionary benefits but did not receive his Provident Fund. A representation was made on August 11, 2016, Annexure-P3 at page 16 to the writ petition.** The petitioner filed a previous writ petition being **W.P. No. 24556 (W) of 2016.** A coordinate Bench by its order dated November 8, 2016 directed the jurisdictional

District Inspector of Schools, Malda to pass a reasoned order on the said representation of the petitioner dated **August 11, 2016, Annexure -P4 at page 17 to the writ petition.**

Mr. Amitava Raha, learned counsel appearing for the petitioner submitted that, despite said direction of the coordinate Bench dated **November 8, 2016**, the representation of the petitioner had not received any attention of the jurisdictional District Inspector of Schools, Malda and the same had not been decided.

None appeared for the State respondents.

In view of the above, to subserve justice, there shall be a mandatory direction upon the **respondent no.4 to implement the direction of the said coordinate Bench dated November 8, 2016, Annexure-P4 at page 17 to the writ petition** in the manner and mode as directed therein positively within a period of six weeks from the date of communication of this order.

On the above terms, this writ petition, **WPA 1576 of 2020** stands disposed of, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)