

05.10.2023
Item No.09
Court No.18
AJ.

W.P.A. 2644 of 2023

Gopal Chandra Mandal
-Vs-
The State of West Bengal & Ors.

Md. Manwar Ali,
Ms. Moumita Karmakar.
....for the petitioner.

Mr. Srijob Chakraborty,
Mr. Somnath Adhikary,
Mr. Biswajit Sarkar.
....for the School Authority.

The petitioner was an Assistant Teacher of Char Munshipara High School (H.S.), District: Murshidabad, he also acted as Teacher-in-Charge of the said school.

The petitioner is praying release of his arrear salary for the period from September 2022 to January 2023 and a direction upon the School Authority to submit his pension papers before the appropriate authority.

The District Inspector of Schools (S.E.), District: Murshidabad, the respondent no.3 herein, by an order dated April 28, 2023, was directed to consider the said issues.

Mr. Chakraborty, learned Advocate for the School Authority files a copy of the Office Order dated June 19, 2023 whereby the respondent no. 3 has disposed of the referred issues, let it be kept with the record.

It appears from the said Order that there are several allegations of monetary defalcation against the petitioner. The respondent no. 3, in the said order has opined that the petitioner is required to face the audit inspection to be done by the School Authority under the supervision of the audit firm to be appointed by the competent authority but since the

petitioner is yet to be found guilty, he may apply for provisional pension.

Mr. Chakraborty submits that the petitioner is not co-operating with the School Authority to complete the audit and is withholding relevant documents.

Mr. Ali, learned Advocate for the petitioner strongly denies the said allegation of Mr. Chakraborty.

Be that as it may, till the allegation of defalcation of money is cleared, the petitioner is not entitled to the relief as prayed for, as such W.P.A. 2644 of 2023 is dismissed. There shall however be no order as to costs.

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

(Biswajit Basu, J.)