

24.11.2023

Ct. 35
Sd. 30.

WPA 2758 of 2022

Md. Aktarul Islam
Vs.
State of West Bengal & Ors.

Mr. Somnath Roy
Mr. Kousik Karmakar ..For the petitioner.

Learned advocate appears for the petitioner. However, no one is appearing for the respondents and no affidavits have been preferred in spite of specific direction of the Court made previously.

Under the circumstances, the record is taken up for adjudication and disposal.

The petitioner is the displaced Head Master of Sahapur Nityanarayan Junior High Madrasha. He was appointed as the Assistant Teacher on 10.04.2000 and thereafter was promoted as the Head Master pursuant to letter dated 04.04.2020. He is qualified with Bachelor's Degree (pass course). His grievance is that all on a sudden, the respondent authorities have stopped, for no apparent reasons shown, his salary and honorarium, though he has been discharging his duties at the said Madrasha. His further grievance is that in spite of written representation ventilating his grievance, the respondent authorities were sitting tight over the matter without paying any heed to his

grievance and redressal of the same. In this writ petition, he has prayed for an order directing the respondent authorities to act in accordance with law and also to consider his representation dated 08.11.2021.

Learned advocate appearing for the petitioner has taken this Court through the documents annexed to the writ petition to show the latter of appointment and promotion of the petitioner as well as the written representation submitted by him before the authorities. It is further submitted that the petitioner's rights being grossly infringed and the petitioner having suffered serious prejudice due to such illegal acts of the respondent authorities, the same is required to be remedied by dint of an order of this Court.

From the annexed documents, it is found that the petitioner was duly appointed as the Assistant Teacher in the said Madrasha in the year 2000 and has been discharging duties since thereafter. It is also evident that he has been promoted at a subsequent period of time in the year 2020. Since there is no challenge to the fact that the petitioner's salary as the Teacher of the Madrasha has been stopped unreasonably and arbitrarily, there is no impediment for this Court to accept the same, as pleaded in the writ petition.

Under the circumstances, it is found proper to direct the respondent no. 4 to immediately consider this writ petition and representation dated 08.11.2021 of the petitioner. In doing so, the respondent no. 4 shall afford opportunity to the petitioner and the any other concerned person as it deems fit and proper, for hearing regarding the issues involved and pass a reasoned order as regards the prayer of the writ petitioner.

The entire exercises as above shall be concluded by the respondent no. 4 within a period of four weeks from the date of submission of the copy of the writ petition (along with the annexed documents) by the petitioner before it.

The writ petition is disposed of with the above directions.

Urgent photostate certified copy of this order be supplied to the parties on priority basis, if applied for.

(*Rai Chattopadhyay J.*)