

10.8.2023

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WPA 4407 of 2023

Pratul Kumar Mondal
Vs.
The State of West Bengal & Ors.

Mr. Satyajit Mondal
Mr. Malay Dhar
Mr. Shouvik Naskar
... For the petitioner.

Mr. Suman Banerjee
... For the college.

Let the affidavit-of-service filed by the petitioner be taken on records.

It has been submitted by the learned advocate for the petitioner that the petitioner retired as the Assistant Librarian from Fakir Chand College, Diamond Harbour at South 24 Parganas on April 04, 2008.

The petitioner claims that similarly circumstanced librarians who had retired before September 30, 2004, were given the benefit of leave encashment as per extant Government circulars. The petitioner, however, has not been given such benefit. He made representations before the college authority claiming the benefit of leave encashment, which were forwarded by respondent no. 3 to respondent no. 2 on March 03, 2021, but the same have not been considered.

Despite service the State is not represented.

I am not inclined to keep this writ petition pending.

Accordingly, this writ petition is disposed of with a direction upon the Director of Public Instruction, West Bengal to consider the petitioner's representations for leave encashment benefit as appearing at pages 18, 19, 20 and 37 of the writ petition, within a period of three months from the date of communication of this order.

The Director of Public Instruction shall hear the petitioner before passing the order. A reasoned order should be communicated to the petitioner within one week thereafter.

Accordingly, **WPA 4407 of 2023** is disposed of.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)