

Court No. 22

22.9.2023

(Item No. ML-
111)

(AB)

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

WPA 3843 of 2015

Raja Ram Gope

v.

The State of West Bengal & Ors.

Mr. Ekramul Bari

Sk. Intiaj Uddin

..... for the petitioner

Mr. Gourav Das

Ms. Rajyashree Mukherjee

..... for the State

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

The petitioner claimed higher pay scale. **Page 28** to the writ petition shows that, the respondent No. 4 has referred the issue before the respondent No. 2 on **May 14, 2014**. Since then the same is lying on the desk of the respondent No. 2.

In view of the above, to sub-serve justice, the respondent No. 2 upon issuing a prior hearing notice of at least seven days to the petitioner and the respondent No. 5 and after affording an opportunity of hearing to them, shall decide the issue by passing a reasoned order in accordance with law.

The entire exercise as directed above must be and should 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. 5 positively within a further period of **two weeks** from the date of the reasoned order to be passed.

The office report dated July 22, 2015 suggests that, despite direction by a co-ordinate bench dated February 18, 2015 no affidavit-in-opposition was filed. Taking into consideration the issue involved in the writ petition and long pendency thereof this Court is of the view that, no fruitful purpose would be served by keeping the writ petition pending any further, hence, this order is passed.

It is made clear that, this Court has not gone into the merits of the claim of the petitioner in any manner and the petitioner shall be at liberty to urge whatever points he wishes to urge by relying upon whatever documents and records he wishes to rely upon before the respondent No. 2.

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

In the event, the reasoned order goes in favour of the petitioner, the respondent No. 2 shall take all necessary and consequential steps in accordance with law to give effect to the said reasoned order forthwith.

On the above terms, this writ petition being **WPA 3843 of 2015** stands disposed of.

There shall, however, be no order as to costs.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Aniruddha Roy, J.)