

24. 02. 2023

BP
Sl. 3
Court No. 17

WPA 12829 of 2022

Kankana Kaur Bhurjee & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Sudipta Dasgupta
Mr. Arka Nandi
Mr. Sagar Dey
Mr. S. Sutradhar
Ms. Shalini Ghosh
..for the petitioners

Mr. Somnath Ghosh
..for the State

This court directed the Director of Mass Education to file a report in respect of absorption of some organising staff. The first report dated 13.01.2023 was produced before this court but there was no mentioning of the names of the petitioners for which this court directed the said authority to specify the names of those petitioners who are to be absorbed as organising staff from the date of sponsorship subject to approval of the Finance Department, Government of West Bengal in terms of the provisions as laid down in G.O. 1080/MEE/Sectt. dated 16th November, 2010 read with G.O. No. 552 – Edn. (MEE) dated 20.04.1995. In the second report affirmed on 15.02.2023 the following persons' names have been disclosed which are as

follows:-

1. Kankana Kaur Bhurjee, 2. Smt. Baby Banerjee, 3. Smt. Supriti Dey, 4. Smt. Monimala Mukherjee, 5. Shri Mrityunjoy Bhandari, 6. Smt. Rupa Nandy, 7. Shri Manabendra Chakraorty and 8. Smt. Bobita Dutta.

Now the question comes as to the approval of the Finance Department, Government of West Bengal.

In respect of the approval of the Finance Department, it has been shown by the learned advocate of the petitioners one Government Memo dated 16th November, 2010 (Annexure P-4 of the writ application at page 21) where at page 22 it has been specifically stated that "This order issues with the concurrence of Finance Department Group-P Service vide their U.O. No. 431 Gr-P (Service), dt. 09.07.2009, U.O. No. 2439 Gr-P (Service), dt. 22.07.2010 and with the approval of the Cabinet dated 27.10.2010 communicated vide No. 2102 dt. 28.10.2010."

Learned advocate for the petitioners submits that in view of this observation no further approval of the Finance Department is required which has also been admitted by the learned advocate appearing for the State.

Therefore, the persons named above as organising staff and will also get their remuneration/salaries and other allowances including

their arrear amount from the date of their absorption as already there is an approval of the Cabinet. The payment of arrear and the current monthly remuneration/salaries and allowances shall start from eight weeks from the date of communication of this order.

In the report dated 16.01.2023 the service of petitioner no.6 has not been approved. Learned advocate has prayed for leave to file separate writ application espousing the cause of petitioner no.6 namely, Swapna Bhowmick. Such leave is granted.

With the above observation and direction, this writ application is disposed of.

(Abhijit Gangopadhyay, J.)

