

03.8.2023

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WPA 15013 of 2023

Ananta Kumar Mitra & Ors.
Vs.
The State of West Bengal & Ors.

Mr. N.C. Bihani
Mr. Soumya Mukherjee
... For the petitioners.

It has been submitted by the learned advocate for the petitioners that petitioner no. 1, retired as Librarian from Barrackpore Rastraguru Surendranath College at North 24 Parganas on May 01, 2003, petitioner no. 2 retired from Mahisadal Raj College at Purba Medinipur on July 01, 1996 and petitioner no. 3 retired from Sudhi Ranjan Lahiri Mahavidyalaya at Nadia on September 01, 20023.

The petitioners claim that similarly circumstanced librarians who had retired before September 30, 2004, were given the benefit of leave encashment as per extant Government circulars. The petitioners, however, have not been given such benefit. They made representations before the various authorities claiming the benefit of leave encashment, 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 petitioners' representations for leave encashment benefit as appearing at pages 115, 116 and 117 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 petitioners before passing the order. A reasoned order should be communicated to the petitioners within one week thereafter.

Accordingly, **WPA 15013 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.)