

03.8.2023

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WPA 15012 of 2023

Arun Kumar Aditya & 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 the Librarian from Srikrishna College at Nadia on January 31, 2003, petitioner no. 2 retired from Pingla Thana College at Paschim Medinipur on September 30, 1999 and petitioner no. 3 retired from Sree Chaitanya Mahavidyalaya at North 24 Parganas on January 01, 1995.

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 116, 117 and 118 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 15012 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.)