

04.09.2023  
(M/L-12)  
Ct.-18  
(Susanta)

W.P.A. 15786 of 2022

Rabindranath Mondal

-Vs-

The State of West Bengal & Ors.

Mrs. Sabita Khutia (Bhunya),  
Mr. Krishna Pada Santra,  
.... For the Petitioner.

Mr. Devranjan Das,  
.... For the Respondent No. 6 & 7.

Mr. Sanjib Das,  
.... For the State.

Ms. Koyeli Bhattacharyya,  
.... For the W.B.B.S.E.

The petitioner was an Assistant Teacher of Samali Bholanath High School, Bishnupur, District- South 24-Parganas.

The petitioner is praying disbursement of his retiral benefits upon approval of his leave for near about five years.

It appears from the report of the District Inspector of Schools (S.E.), South 24-Parganas, the respondent no. 5 herein, dated February 10, 2023 that the petitioner remained absent in the school for the period from November 23, 2011 till the date of his retirement on September 30, 2017, besides the petitioner enjoyed forty-six days extra leave for the period from May 01, 2010 to April 30, 2011.

Unless the aforementioned periods of leave are sanctioned by the school authority and approved by the West Bengal Board of Secondary Education, the petitioner is not entitled to the relief as prayed for in the instant writ petition.

Mrs. Khutia, learned Counsel for the Petitioner submits that the petitioner, on May 18, 2023, has filed an application praying sanction of leave for the said periods before the school authority.

The Managing Committee of the school is directed to take an appropriate resolution disposing of the said prayer of the petitioner and to send the said resolution to the Board for follow up actions to be taken. The concerned authorities, after the decision of the Board, shall consider and decide the said prayer of the petitioner in accordance with law.

W.P.A. 15786 of 2022 is disposed of with the above terms without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

**(Biswajit Basu, J.)**