

Court No.22

17.4.2023

(Item No. 167)

(AB)

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

W.P.A. 16597 of 2022

Sajal Kumar Maity

VS

The State of West Bengal & Ors.

Mr. Ashis Kumar Chowdhury

Mr. Avijit Kar

.... For the petitioner

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

The State chose not to be represented, despite notice. The respondent Nos. 6 and 7 had also not appeared.

The petitioner claimed implementation of a direction made and reasoned order passed by the respondent No. 3 dated **September 3, 2021**, **Annexure P-16** at **page 78** to the writ petition.

Mr. Ashis Kumar Chowdhury, learned counsel appearing for the petitioner submitted that the said reasoned order dated September 3, 2021 was passed by the respondent No. 3 pursuant to the direction made by this Court by a co-ordinate bench dated April 6, 2021. The said reasoned order has not been challenged any further.

He submitted that, the relevant School authority respondent Nos. 6 and 7 had not implemented the said reasoned order dated

September 3, 2021 for proper pay fixation of the petitioner.

After considering the submissions made on behalf of the petitioner and upon perusal of the materials on record, to sub-serve justice, the respondent No. 6 and/or 7 are directed to give immediate effect to the said reasoned order dated September 3, 2021 in its true spirit and content thereof in accordance with law.

The entire exercise as directed above, shall be carried out and completed by the respondent No. 6 and/or 7 positively within a period of three weeks from the date of communication of this order. The respondent No. 6 and/or 7 shall be at liberty to call for the petitioner, if any assistance is required from him and the petitioner shall render all necessary assistance to the school authority.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

On the above terms, this writ petition being **WPA 16597 of 2022** 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.)