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02.01.2023
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W.P.A. 18164 of 2018

Amaresh Kumar Saha
Vs.
State of West Bengal & Ors.

Mr. Malay Kr. Das
...for the petitioner

Mr. Biswabrata Basu Mallick
Mr. Sajal Kr. Pandit
...for the State

Ms. Soumita Ghosh
....for the respondent no. 7

Mr. Arindam Sen
Mr. Sagnik Bhattacharya
Mr. Rishav Gupta
...for the respondent no. 8

The writ petitioner is an approved Assistant Teacher in a Government aided recognised High School and was appointed substantively with effect from 24th April, 1999. According to the petitioner he completed 18 years continuous service on 24th April, 2017 however the benefits of completing continuous 18 years approved service as it has been contended on behalf of the petitioner, has not been extended in his favour till date. Petitioner prays for sanctioning of service benefit under the Career Advancement Scheme for completing 18 years continuous approved service.

The writ petition is heard in presence of the learned advocates representing the petitioner, present school authority, erstwhile head master and State-respondents.

In consideration of the grievance which has been ventilated before this Court on behalf of the petitioner this Court grants leave to the petitioner to make a representation to the District Inspector of Schools (SE), North 24 Parganas, Barasat, being the respondent no. 3, within fortnight from date claiming sanction of benefits for completing 18 years continuous service. If such representation is made within the aforesaid time the respondent no.3 in his turn shall pass a reasoned order after granting opportunity of hearing of the petitioner and the school authority within a period of 12 (twelve) weeks from the date of receipt of such representation and the decision to be taken by the respondent no. 3 shall be communicated to the petitioner and the school authority within 1 (one) week thereafter.

However, it is made clear this Court does not go into the merit of the issue.

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

With the aforesaid direction, writ petition stands disposed of.

However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)