

22.11.2023
Item No.13
Court No.18
P.Jana

W.P.A. 21756 of 2023
Wadida Khatun
-Vs-
The State of West Bengal & Ors.

Mr. Md. Manuwar Ali,
Ms. Moumita Karmakar,
.....for the petitioner.

Mr. Biswabrata Basu Mallick, AGP.
.....for the State.

The petitioner was an Assistant Teacher of Mathabhanga High Madrasah, District; Cooch Behar, on transfer, she is presently working at Margram High Madrasah (H.S.), District: Birbhum.

The petitioner is praying *inter alia* for disbursement of her arrear salary from February 2022.

Mr. Basu Mallick, learned Additional Government Pleader, files the instruction bearing Memo No. 280/LS. dated October 12, 2023 which he received from the District Inspector of Schools (SE), Birbhum, the respondent no. 3 herein, let the said instruction be kept with the record.

It appears from the said instruction that while working at the said Mathabhanga High Madrasah, the petitioner remained absent from her duty for more than seven years on and from January 01, 2015.

The prayer of the petitioner for approval of her said period of absence is pending consideration before the West Bengal Board of Madrasah Education, the respondent no. 9 herein. Unless the said approval is

accorded, the petitioner is not entitled to the arrear salary as prayed for.

Mr. Ali, learned counsel for the petitioner, prays that the respondent no. 9 may be directed to dispose of the prayer of the petitioner for approval of the said leave.

WPA 21756 of 2023 is **disposed of** by directing the respondent no. 9 to consider and dispose of the prayer of the petitioner for approval of her said period of absence in accordance with law.

There shall be no order as to costs.

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

(Biswajit Basu, J.)