

WPA 24474 OF 2017

Krishna Mandal (Ghosh)

Vs.

State of West Bengal & Ors.

Mr. Ekramul Bari
Ms. Tanuja Basak.

....For the Petitioner

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

None appears for the respondents.

Mr. Ekramul Bari, learned counsel for the petitioner referring to ***Annexure-P3 at page 27*** to the writ petition submits that a ***representation dated July 11, 2017*** was submitted before the respondent no.3 but the same has not yet received any attention.

In view of the above, to subserve justice, the respondent no.3 is directed, upon issuing a prior hearing notice of at least seven days to the petitioner and the respondent no.4 and then after giving them an opportunity of hearing, shall pass a reasoned order in accordance with law.

It is made clear that, this Court has not gone into the merits of the claim of the petitioner in any manner. The petitioner and the respondent no.4 shall be at liberty to urge whatever points they wish to urge by relying upon whatever records and documents they wish to rely upon

before the respondent no.3 but the ***same shall not travel beyond the scope of the representation dated July 11, 2017*** as referred to above.

The respondent no.3 then shall communicate its reasoned order to the petitioner and the respondent no.4 within a period of two weeks from the date of the said reasoned order to be passed.

The entire exercise, as directed above, shall be carried out and completed by the respondent no.3 ***positively*** within a period of ***six weeks*** from the date of communication of this order.

It is made clear that this order shall not create any equity or right in favour of the petitioner if the petitioner is not eligible to receive her claim strictly in accordance with law.

In the event the reasoned order goes in favour of the petitioner, the respondent no.3 then shall immediately give effect thereto ***positively*** within a period of ***three weeks*** after the order being communicated to the petitioner and the respondent no.4.

The respondent no.4 shall also carry out and discharge its obligation in accordance with law.

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

On the above terms this writ petition, **WPA 24474 of 2017** stands disposed of, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)