

M/L 309
17.05.2023
Court. No. 22
chanchal

WPA 25209 of 2022

Tusar Kanti Midya Das
Vs.
The State of West Bengal & Ors.

Mr. Tamal Taru Panda

...for the petitioner.

Mr. Suman Dey

....for the State.

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

Mr. Suman Dey, learned advocate appearing for the respondent Nos.1 to 5.

Petitioner is working as an **Assistant Teacher at Mansinghaberh Banishree Vidyaniketan (HS), District – Purba Medinipur.**

Petitioner claimed that during his transfer from previous school to this school his salary for the period during April 1, 2017 till May 31, 2017 was not paid.

Claiming the said arrear salary the petitioner filed this writ petition. During pendency of the writ petition, the petitioner had received the said arrear salary. The petitioner now claimed some interest on such delayed payment.

After considering the submissions of the parties and on perusal of the materials on record for

the ends of justice, the respondent No.4 is directed to calculate interest on the said arrear amount of **Rs. 57,684/-** which has already been paid to the petitioner @ **5% per annum** from the date of transfer of the petitioner till the date of actual payment and shall inform the petitioner accordingly by a written communication. The interest is required to be paid on such delayed payment.

The entire exercise is directed above, shall be carried out and completed by the respondent No. 4 within a period of four weeks from the date of communication of this order. The petitioner then shall communicate the said decision of the D.I. to the respondent No. 2 who shall make necessary allotment of fund within a period of two weeks from the date of communication of the decision of the respondent No.4.

The relevant treasury office then shall pay the amount to the petitioner on the basis of the said allotment of fund by the respondent No.2 after receiving the necessary bank account details from the petitioner and credit thereto within a period of two weeks from the date of receiving the said bank account details from the petitioner.

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

It is made clear that, this order shall not be treated as a precedence in any manner.

On the above terms, this writ petition being **WPA 25209 of 2022** stands disposed, without any order as to costs.

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

(Aniruddha Roy, J.)