

10.01.2023

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WPA 28661 of 2022

Tamal Kanti Kar

Vs.

The State of West Bengal & Ors.

Mr. S. Bhunia

Mr. S. Bhattacharya

... For the petitioner.

Mr. Sourav Mondal

... For the respondent no. 3.

Mr. Prabir Dasgupta

Mr. Suman Dey

... For Bidhan Chandra Krishi
Viswavidyalaya.

Ms. Sima Adhikari

Ms. Kakali Naskar

... For the State.

The petitioner worked as a Fieldman at Bidhan Chandra Krishi Viswavidyalaya, Nadia. He retired from the said post on January 31, 2020. It is the grievance of the petitioner that he was not provided with the proper scale of pay during his service and his retiral dues have not been calculated properly.

It is the specific submission of the petitioner that his retiral benefits were not fixed as per the last pay drawn. The petitioner made a representation before the Registrar, Bidhan Chandra Krishi Viswavidyalaya, Nadia by a letter dated July 12, 2022 which is appearing at page 18 of the writ petition. The petitioner

claims that it has not been considered by the University.

The factual issues involved in the writ petition cannot be decided without exchange of affidavits.

I am not inclined to keep the writ petition pending. Accordingly, I direct respondent no. 4, the Registrar, Bidhan Chandra Krishi Viswavidyalaya, Nadia, to dispose of the said representation dated July 12, 2022 made by the petitioner within a period of four weeks from date. The petitioner should be heard before the decision is taken. The reasoned order should be communicated to the petitioner within one week thereafter.

Accordingly, WPA 28661 of 2022 is disposed of.

There will be no order as to costs.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)