

13-10-2023
Court No.3
Sh/10.

**In The High Court At Calcutta
Jalpaiguri Circuit Bench**

W.P.A. 1034 of 2021

Ramani Barman

-Vs-

The State of West Bengal & Ors.

Mr. Arnab Saha.

For the petitioner.

Mr. Subir Kumar Saha, AGP,

Mr. Momenur Rahaman.

For the State.

Mr. Bikramaditya Ghosh.

For the respondent nos.2 & 3

This writ petition has been filed by the petitioner with a prayer to direct the respondent no.3 to settle the entitlement of dues of the petitioner's arrear salary in terms of calculation made in the tabular sheet appended with the writ petition as annexure P-5 for the period of 20-08-2016 to 20-08-2019 and disburse or release the said sum along with interest at the rate of 10% per annum accrued upon the arrear for 55 months 11 days as on 31-03-2021 or till the date of actual disbursement or release of the said dues forthwith.

During pendency of this writ petition it is admitted all the arrear dues of salary of the petitioner for the period of 20-08-2016 to 20-08-2019 has been disbursed and the writ petitioner has already been received the said arrear. However, no interest was allowed by the respondents for such arrear.

Accordingly, the respondent no.3 is directed to consider this writ petition along with annexure thereto as a representation of the petitioner upon giving an opportunity of being heard to the petitioner through his Id. Advocate, if appointed and other concerned authorities within ten weeks from the date of communication of this order along with copy of the writ petition and pass a reasoned order to that effect. The respondent no.3 shall communicate its decision to the petitioner within a week from the date of passing such order.

It is made clear that this Court has not gone into the merits of case and the respondent no.3 is free to consider the aforesaid representation without being influenced by any observations made in this order in accordance with law.

Since no affidavits have been called for the allegations contained in this writ petition shall be deemed not to have been admitted by the respondents.

Accordingly, WPA 1034 of 2021 is disposed of with the aforesaid observations and direction.

There will be no order as to costs.

Urgent Photostat certified copy of this order, if applied for be supplied to the learned advocates for the parties subject to compliance of all requisite formalities.

(Ajay Kumar Gupta, J.)

