

Item-  
6. 17-01-2024

MAT 425 of 2020  
CAN 1 of 2020  
CAN 3 of 2023

sg Ct. 8

The State Project Director, Paschim Banga,  
Sarva Siksha Mission & Ors.  
Versus  
Uttam Kumar Naskar & Ors.

Mr. L.K. Gupta, Sr. Adv.  
Mr. Arjun Ray Mukherjee, Adv.  
Ms. Saheli Mukherjee, Adv.  
...for the appellants  
Mr. Lakshminath Bhattacharya, Adv.  
...for the respondent no.1  
Mr. Biswabrata Basu Mallick, Id. AGP  
...for the State

1. Pursuant to the order passed by this Court, the State Project Director, Sarba Siksha Mission has passed an order by which the engagement of the respondent/writ petitioner was allowed to continue upto the age of 60 years. DEO, SSM, South 24 Parganas being the appointing authority for the Para Teachers was directed to take further necessary action in this regard. The said communication also records that the writ petitioner may pursue D.El.Ed in normal course as per the NCTE notification on the subject.
2. It is submitted on behalf of the writ petitioner that in spite of the order of 7<sup>th</sup> January, 2020, he was not allowed to join the school till 7<sup>th</sup> December, 2020.
3. In the order dated 7<sup>th</sup> January, 2020, the authorities concerned were directed to allow the petitioner to join immediately within ten days from that date. The penency of the appeal was shown as the cause for not allowing the petitioner to join the duties.
4. Under such circumstances, we are of the opinion that the

petitioner should be entitled to the salary from February, 2020 till November 2020.

5. The arrear salary shall be released, if no already paid, within a period of four weeks from date.
6. The appeal is disposed of with the aforesaid modification. In view of disposal of the appeal, the connected applications are also, accordingly, disposed of.
7. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**(Uday Kumar, J.)**

**(Soumen Sen, J.)**