

26.6.2024

ct.25, sl.10
sk

WPA 13201 of 2019
(CAN 1 of 2023)

Ranjit Saha.-vs--State of West Bengal & Ors..

Mr. Ajay Barman Roy
.....for the petitioner.

Affidavit of service filed by the writ petitioner
is taken on record.

The petitioner is represented but no one is
appearing for the respondents in spite of service of
notice.

Hence, the matter is taken up for delivering
order in absence of the respondent authorities.

The original writ petitioner has died and at
present the legal heirs of the original writ petitioner
have been substituted in this case.

The allegation made in the writ petition is
regarding short payment of an amount of Rs.
58,363/- from the death cum retirement benefits,
as has been extended earlier to the writ petitioner
(now deceased).

The writ petitioner seeks an order of Court
directing the respondent authority to refund the
said amount of Rs. 58,363/- which, according to
them has not been paid to the writ petitioner on
account of retirement benefits, along with interest
@ 10% per annum there on.

Considering the facts and circumstances of the case, the writ petition is disposed of by directing the respondent no. 3/ District Inspector of Schools, Secondary Education, Barackpur to consider the present writ petition, as the representation of the petitioners and decide over the allegations and prayer made therein, by dint of a reasoned order.

In doing so the concerned respondent authority shall afford opportunity of hearing to the writ petitioners.

Let the petitioner serve photocopy of the writ petition along with copy of this order, in the office of respondent no. 3/District Inspector of Schools, Secondary Education, Barackpur.

The said authority shall dispose of the petitioner's prayer pursuant to order of this Court as above within a period of three weeks from the date of submission of copy of the present writ petition by the petitioner, along with copy of this order.

The writ petition is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rai Chattopadhyay, J.)