

14-06-2024
ct no. 13
Sl. 24
sp

WPA 15431 of 2017
With
CAN 1 of 2022
With
CAN 2 of 2022
Rajanikanta Naskar
-Versus-

The State of West Bengal & Ors.

Mr. Pinaki Bhattacharyya,
Mr. Amartya Mohan Bhattacharyya
...for the petitioner

CAN 2 of 2022

1. CAN 2 of 2022 has been filed seeking condonation of delay in filing CAN 1 of 2022.
2. Sufficient grounds have been made out in the instant application explaining such delay. Hence, the delay is condoned.
3. Accordingly, CAN 2 of 2022 is allowed and disposed of.

CAN 1 of 2022

4. Sufficient grounds have been made out explaining the absence of the petitioner on 19th November, 2019. The order dated 19th November, 2019 is recalled. Hence, the writ petition is restored to its original file and number.

5. Accordingly, CAN 1 of 2022 is allowed and disposed of.

WPA 15431 of 2017

6. Despite service of notice, the respondents are not represented.
7. Affidavit of service filed in Court today is taken on record.
8. The petitioner was suspended for pendency of criminal proceedings during the tenure of his service. After he was acquitted from the criminal proceedings, the petitioner was reinstated back in service and has since superannuated.
9. The petitioner received all benefits of service. He claims that the total sum of Rs. 85,241/- is due and payable to him representing two months' salary during his suspension and other claims. A representation has been made by the petitioner to the Chairman, DPSC, South 24 Parganas, through his learned advocate on 28th April, 2017.
10. In those circumstances, the Chairman, DPSC, South 24 Parganas shall consider the petitioner's representation and dispose of the same in accordance with law, within a period

of a month from the date of communication of a copy of this order.

11. If for some reason, the matter is not within the purview of the DPSC, South 24 Parganas, the same shall be referred to the District Inspector of Schools (P.E.), South 24 Parganas, who shall consider and dispose of the same within a period of one month from the date of reference to him.
12. With the aforesaid observations, the instant writ petition shall stand disposed of.
13. There shall be no order as to costs.
14. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)