

WPA 15508 of 2024

Banhi Baran Ghosh

-vs-

The State of W.B. & ors.

Mr. Monish Sen

Ms. Oisani Mukherjee

...for the petitioner

Mr. Asim Kr. Ganguly

Mr. Pradipta Siddhanta

...for the State

Learned counsel for the petitioner submits that the petitioner is being illegally denied his due HRA.

Learned counsel appearing on behalf of the respondents submits that the HRA is not being given to the petitioner because there is no order passed by the Assistant Secretary of the Higher Education Department to that effect. Whatever HRA was earlier paid to the petitioner was due to oversight.

It is unfortunate that the respondent authorities, being in charge of dealing with public funds, made payment of substantial sums due to oversight.

However, it has been categorically averred on behalf of the State respondents that an order needs to be passed by the Assistant Secretary of the Higher Education Department in this regard.

Therefore, the writ petition is disposed of by granting liberty to the petitioner to make an appropriate

representation before the Assistant Secretary of the Higher Education Department as regards his due HRA. The said representation shall be made within a week from this date. Within two weeks therefrom, the Assistant Secretary shall pass a reasoned order regarding the petitioner's entitlement to HRA. The outcome of such consideration shall be intimated to the petitioner within a week therefrom.

With these observations, the writ petition is disposed of.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)