

29.07.2024
Ct. No. 14
Sl. No.57
AGM

**In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA No. 17232 of 2024

**Bandana Bhattacharjee & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Sarwar Jahan
Mr. Subrata Ghosh
Ms. Tapati Sarkar
... For the petitioners.

Mr. Santanu Mitra.
Mr. Amartya Pal.
... For State.

Affidavit of service filed in Court today by the
petitioners is taken on record.

The petitioners challenge the communication
dated 2nd May, 2024 made by the Secretary, Kolkata
Primary School Council addressed to all the Circles of
the Sub-Inspector of Schools regarding recast of
service books and approval of 18 years' service benefit
in terms of G.O. No. 209, SE (EE)/PTTI-7/2011 dated
4th March, 2013.

The issue came up for consideration before a
coordinate bench of this Court in WPA 13408 of 2024
(Chinmayee Sarkar Basak & Ors. Vs. The State of West
Bengal & Ors.) and vide order dated 13th June, 2024

the Court disposed of the writ petition by directing the District Primary School Council, Kolkata to revisit the decision dated 2nd May, 2024 and pass appropriate orders releasing the 18 years' benefit to the petitioners by duly approving "A" category pay scale to them.

The Court recorded that the order shall, however, not prevent the District Primary School Council, Kolkata from re-verifying the credentials of the petitioners.

Since the issue in question has already been decided by the Court, accordingly, the instant writ petition is disposed of by directing the District Primary School Council, Kolkata to re-visit the impugned communication and pass appropriate orders for releasing the 18 years' benefit to the petitioners after verifying their credentials. If the credentials are in their favour then the petitioners shall be entitled to the benefit and the same shall be extended to them.

Let a decision be taken by the Council at the earliest but positively within a period of twelve weeks from the date of communication of this order.

Leave granted to the learned advocate for the petitioners to deposit the deficit court fees by tomorrow 30.07.2024. In the event, the deficit court fees is not paid, the order passed herein shall be restricted only in respect of the petitioner no. 1 and the writ petition

shall be deemed to have been dismissed in respect of the others.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)