

06.11.2024
Court No. 18
Item No. 91 (ML)
(Suvendu)

WPA 17004 of 2023

Biplab Kumar Das & Ors.
-Versus-

The State of West Bengal & Ors.

Ms. Ritika Mandal
.....for the petitioners

Matter is taken up for consideration when accommodation has been prayed for on behalf of the petitioners and same is refused since the writ petition was taken up on 25th September, 2024 and on prayer made on behalf of the petitioners hearing was adjourned and it was directed that the matter to be listed in the Monthly Combined List of November, 2024. Repeated prayer for adjournments on same ground made on behalf of the petitioners is deprecated.

By presenting this writ petition three teachers have prayed for payment of interest due to delay in releasing service benefits.

On perusal of the materials available on record, it appears that a Coordinate Bench on 22nd April, 2004 directed State authorities to grant approval of appointment in favour of the petitioners since they were working as organizing

teachers on upgradation of the school in question with effect from 1st May, 2000.

Subsequently for compliance of the order dated 22nd April, 2004, contempt proceeding was instituted and in connection with the said contempt proceeding District Inspector of Schools (SE), South 24 Parganas took steps in terms of the order of the Coordinate Bench dated 22nd April, 2004 and arrear dues were released in favour of the petitioners.

From the documents at pages 32 to 34 of the writ petition it appears that petitioner no. 1 received Rs. 8,15,688/-, petitioner no. 2 received Rs. 16,37,177/- and petitioner no. 3 received Rs. 18,18,486/- in the month of May, 2023. It appears that the State authorities had to release those amount in connection with contempt proceeding.

On release of arrear claim of the petitioners prayer made by them for granting interest since they were approved in consideration of their previous service as organizing teachers on upgradation of the concerned school with effect from 1st May, 2000 is not found to be justified.

Hence, the writ petition stands dismissed.

There shall be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)