

18. 29.07.2024
Court No.18
(Tanmoy)

WPA 18371 of 2024

**Tanmoy Chatterjee
-Versus-
State of West Bengal & Ors.**

Mr. Sandip Kumar De, Adv.,
Mr. Abhijit Sarkar, Adv.

...for the petitioner.

Mr. Sadhan Kumar Haldar, Adv.,
Ms. Molly Saha, Adv.

...for the State.

Affidavit of service filed on behalf of the petitioner is taken on record.

By presenting this writ petition, the petitioner being an assistant teacher of a Government aided Christian Minority School, has prayed for payment of arrear salary for the period from 18th February, 2015, till 6th July, 2015. It has been submitted on behalf of the petitioner that approval of appointment was granted *vide* memo dated 4th February, 2016 with effect from 18th February, 2015 but surprisingly monthly salary was paid in favour of the petitioner on and from 7th July, 2015. Petitioner claims payment of arrear salary for the period from 18th February, 2015 to 6th July, 2015.

State respondents are represented by learned Advocate who submits that if necessary direction is given to the State respondents, appropriate steps shall be taken for release of arrear salary in favour of the petitioner, if the same has not been paid till date.

Having considered the submissions made on behalf of the petitioner claiming arrear salary for the period from 18th February, 2015, to 6th July, 2015, this writ petition is disposed of by granting leave to the petitioner to file a representation to the District Inspector of Schools (S.E.) Kolkata, being the respondent no.3, by fortnight from date.

If such representation is made within the aforesaid period, the respondent no.3 shall take a reasoned decision on the claim of the petitioner for arrear salary by four weeks from date of receipt of the representation after granting opportunity of hearing to the petitioner or his representative. The decision to be taken by the respondent no.3 shall be communicated to the petitioner and the school authority by one week thereafter. If the respondent no.3 decides in favour of the petitioner relating to release of arrear salary by passing a reasoned order, consequential steps shall be taken immediately thereafter for release of the same.

However, there shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon usual undertakings.

(Saugata Bhattacharyya, J.)