

14. 29.07.2024
Court No.18
(Tanmoy)

WPA 18366 of 2024
Soumya Banerjee
-Versus-
State of West Bengal & Ors.

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

...for the petitioner.

Ms. Sanghamitra Nandy, Adv.,
Mr. Niladri Bhattacharyya, Adv.

...for the State.

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

Petitioner claims payment of arrear salary for the period from 26th April, 2022 till 31st January, 2023. In support of such contention reliance is placed on approval memo issued by the District Inspector of Schools (S.E.), Kolkata, dated 16th January, 2023, which is at page 10 of the writ petition. It is submitted that though the petitioner was appointed as assistant teacher in Collins Institute, Kolkata with effect from 26th April, 2022, but approval of appointment was granted *vide* memo dated 16th January, 2023 and release of monthly salary commenced on and from 1st February, 2023. It is further contended on behalf of the petitioner that since approval of appointment has already been granted in favour of the petitioner from 26th April, 2022, the arrear salary for the period 26th April, 2022 till 31st January, 2023, may not be denied.

State respondents are represented by learned Advocate who submits that papers have been forwarded to the District Inspector of Schools (S.E.) Kolkata. If necessary direction is passed by this Court, steps shall be taken in accordance with law.

Having considered the submissions made on behalf of both the parties and taking note of the approval memo dated 16th January, 2023, whereby approval of appointment has been granted with effect from 26th April, 2022, in favour of the petitioner, this Court does not find any impediment in directing the concerned respondent authority to release arrear salaries for the period from 26th April, 2022 to 31st January, 2023.

Accordingly, the concerned State respondents including the District Inspector of Schools (S.E.) Kolkata, being the respondent no.3, is directed to release arrear salaries in favour of the petitioner for the period from 26th April, 2022 till 31st January, 2023, if the same has not been released by this time, by four weeks from date of communication of this order upon compliance of necessary formalities.

Accordingly, the writ petition stands disposed of.

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.)