

Court No. 18
(265704)

22.08.2024

(AD 13)

(S. Banerjee)

WPA 20600 of 2024

Anjan Kumar Jana

Vs.

State of West Bengal & Ors.

Mr. Tarapada Haldar

...for the petitioner

Mr. Tarun Kumar Ghosh

Ms. Chandramala Mukherjee

...for the State-respondents nos. 1 to 3

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

The petitioner was appointed as a clerk on 31st January, 1987 by the school authority and thereafter a coordinate Bench while disposing of the writ petition on 4th November, 2013, directed the concerned District Inspector of Schools to grant approval of appointment in favour of the petitioner. Since the order of the coordinate Bench dated 4th November, 2013 was not complied with, a contempt proceeding was drawn up being WPCRC 433 of 2014 and in connection with the said contempt proceeding, the concerned District Inspector of Schools (SE), Kolkata, granted approval of appointment to the petitioner subject to result of the intra-Court appeal

being MAT 2107 of 2016 preferred by the State-respondents.

Learned advocate representing the petitioner submits that the appeal is pending for final adjudication whereas the petitioner has retired on 31st August, 2023 and in reference to a document, which is at page 61 of the writ petition, petitioner claims Gratuity.

Since the appeal is pending for final adjudication before the Hon'ble Division Bench, at this stage this Court is not passing any direction relating to release of pensionary benefits. However, if the pension sanctioning authority finds that petitioner is entitled to receive Gratuity and other retiral dues, the pension sanctioning authority shall be at leave to take steps in accordance with law.

Accordingly, the writ petition stands disposed of.

There shall be no order as to costs.

(Saugata Bhattacharyya, J.)