

18-04-2024
ct no. 13
Sl. 410
sp

WPA 20652 of 2014
Sri Bijay Kumar Singh
-Versus-

The State of West Bengal & Ors.

Mr. Sakti Pada Jana,
Mr. Subhajyoti Das
..for the petitioner

Mr. Biswabrata Basu Mallick,
Ms. Parna Roy Choudhury
...for the State

1. Fresh affidavit of service affirmed on April 5, 2024 and notice of upgradation dated April 12, 2024 have been filed in Court today are taken on record.
2. The petitioner is aggrieved by order dated January 6, 2012 passed by the District Inspector of Schools (P.E.), Kolkata, approving his appointment as a permanent teacher and allowing him to draw **Dearness Allowance** with effect from **December 24, 2010**. The said order was passed pursuant to a direction of a Co-ordinate bench of this Court dated December 24, 2010 passed in WP 30483 (W) of 2008.
3. The petitioner submits that his appointment in the school was made

permanent with effect from December 5, 1991 as would appear from Annexure “P-3” to the writ petition. The petitioner claims that he was entitled to be approved by the State for receiving D.A. with Effect from December 5, 1991 and not from December 24, 2010.

4. In those circumstances, this Court issues a writ of mandamus directing the D.I. of Schools (P.E.), Kolkata to approve the petitioner’s appointment in Shree Balkrishna Vithelnath Vidyalaya (Primary Section), 26, P.K. Tagore Street, Kolkata-700006 with effect from December 5, 1991, within a period of 3 months from the date of communication of a copy of this order.
5. The impugned order dated January 6, 2012 shall stand modified accordingly. All consequential benefits to the petitioner shall follow accordingly.
6. The service records of the petitioner with the school as well as the D.I. shall stand modified accordingly.
7. With the aforesaid observations, the instant writ petition shall stand disposed of.

8. There will be no order as to costs.
9. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)