

15 11.09.2024
rkd Ct.18

W.P.A. 21996 of 2024

Md. Majibar Rahaman Sardar

-vs-

State of West Bengal & Ors.

Mr. Ekramul Bari,
Syed Mansur Ali

....for the petitioner.

Mr. Suman dey,
Ms. Subhasri Chatterjee

....for the State.

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

By presenting this writ petition an effort
has been made to question the communication
dated 29th July, 2024 issued by the OSD & EO,
Director of Madrasah Education, West Bengal
addressed to the District Inspector of Schools (SE),
Dakshin Dinajpur relating to pay fixation in terms
of G.O. No.25-SE(B) dated 12th February, 1999
wherein also recovery of overdrawn amount has
been suggested.

Having heard the learned advocate
representing the petitioner, it appears that on
apprehension of recovery of amount from the
petitioner on quantification of excess drawn
amount based on communication dated 29th July,
2024, petitioner has approached this Court with

the present writ petition.

Since the District Inspector of Schools (SE), Dakshin Dinajpur has not refixed the pay of the petitioner and no conclusive decision as on date has been taken on quantification of excess drawn amount for recovery, it transpires that the writ petition is premature.

Hence, the writ petition stands dismissed.

However, this order shall not preclude the petitioner to question the decision if taken by the District Inspector of Schools (SE), Dakshin Dinajpur relating to fixation of pay and recovery of overdrawn amount.

There shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)