

Item No.104
16.01.2024
Court. No. 24
GB

W.P.A. 25112 of 2023

Dr. Sailendra Kumar Chowdhury
Vs.
The State of West Bengal & Ors.

Mr. Chittapriya Ghosh,
Ms. Priyanka Saha

...for the Petitioner.

Mr. Ashis Kumar Chowdhury

...for the RespondentNos.7 to 9.

Affidavit-of-service filed in Court today, be kept with the record.

The petitioner seeks consideration of the representation made to the Director/Deputy Director, SUDA regarding enhancement of salary/honorarium of the Medical Officer engaged under Urban RCH Scheme.

The petitioner has already been disengaged from service of the Medical Officer, Urban RCH Scheme. The petitioner claims that he is entitled to receive Rs.40,000/- per month, whereas he has been paid only Rs.25,000/- per month. The petitioner prays for disbursing the balance amount.

None represents the State respondents and particularly the State Urban Development Agency, the respondent no.3 herein.

In the absence of the State Urban Development Agency it is not possible for the Court to adjudicate the issue conclusively.

Learned advocate representing the Municipality submits that the State Urban Development Agency is the

sanctioning authority of the salary/remuneration. The Municipality only disburses the amount that has been sanctioned by the Agency.

As it appears that the representation filed before the Agency is pending consideration for a considerable period of time, accordingly, the instant writ petition is disposed of by directing the Director, State Urban Development Agency, the respondent no.3 to consider the representation filed by the petitioner in accordance with the relevant rules/circular and to dispose of the same by passing a reasoned order at the earliest but positively within a period of eight weeks from the date of communication of this order. A reasoned order shall be passed and communicated to the petitioner immediately thereafter.

If it appears that the petitioner will be entitled to any further sum, the same shall be disbursed in his favour without any delay. If the prayer of the petitioner is rejected, then the ground(s) for rejection shall be clearly mentioned in the reasoned order.

Learned advocate for the petitioner is directed to forward a copy of the representation dated February 8, 2022 to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Amrita Sinha, J.)