

Court No. 18
(265704)

WPA 26412 of 2022

14.11.2024

(AD 24)

(S. Banerjee)

Sima Murmu

Vs.

The Commissioner of School Secondary Education,
West Bengal & Ors.

Mr. Pradip Saren
Mr. Soumik Ghosh
Ms. Saheli Hembram

...for the petitioner

Mr. B. Basu Mallick
Mr. Sanjib Das

...for the State

Mr. Suvadip Bhattacharjee
Mr. Balaram Patra

...for the respondent no. 4

Matter relates to release of House Rent Allowance which, according to the petitioner, has been abruptly stopped from July, 2022. It is submitted by the learned advocate representing the petitioner that a matrimonial suit was pending and the same has been decreed by dissolving the marriage of the petitioner. The order dissolving marriage was passed by the civil court on 22nd September, 2023. It is further contended on behalf of the petitioner since marriage of the petitioner has been dissolved by virtue of an order dated 22nd September, 2023, she is entitled to receive full House Rent Allowance from July, 2022. It is further submitted that the petitioner at present is receiving House Rent Allowance from the month of October, 2024. Only steps

which are required to be taken by the State Government and the school authority, is to release arrear House Rent Allowance from the month of July, 2022 till September, 2024.

School authority as well as the State-respondents are represented by learned advocates.

It is submitted on behalf of the State-respondents that if appropriate bill is forwarded by the school authority where the petitioner is presently serving, steps shall be taken for release of arrear House Rent Allowance in accordance with law.

It is submitted on behalf of the school authority that from the month of August, 2024, House Rent Allowance has been allowed in favour of the petitioner but, due to non-submission of relevant documents, steps could not be taken by the school authority for release of arrear House Rent Allowance from July, 2022.

Having considered the respective submissions made on behalf of the parties, the writ petition is disposed of by granting leave to the petitioner to make a representation to the District Inspector of Schools (SE), Kolkata, being the respondent no. 3, by fortnight from date claiming arrear House Rent Allowance. If such representation is made within the aforesaid time, the respondent no. 3 shall decide the entitlement of the

petitioner to receive arrear House Rent Allowance as claimed by passing a reasoned order within a period of eight weeks from the date of receipt of such representation after granting opportunity of hearing to the petitioner and the school authority of Maharaja Cossimbazar Polytechnic Institute, Kolkata or their respective representatives. The decision to be taken by the respondent no. 3, shall be communicated to the parties by two weeks thereafter.

There shall be no order as to costs.

Urgent photostat certified copies, if applied for, be issued to the parties on compliance of requisite formalities.

(Saugata Bhattacharyya, J.)