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21.11.2024
Ct. No. 18
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W.P.A. 26906 of 2024

Baidyanath Murmu
Vs.
The State of West Bengal & Ors.

Mr. Dhananjay Banerjee
...for the petitioner

Mr. Shuvro Prakash Lahiri
Ms. Mousumi Biswas
...for the State

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

Petitioner is presently working as assistant teacher in Dharampur Adarsha Vidyalaya, District-Hooghly. On the recommendation of the School Service commission dated 3rd March, 2001 though petitioner joined the post of assistant teacher on 19th March, 2001 but the District Inspector of Schools (SE) Hooghly while approving the appointment of the petitioner inadvertently recorded in the approval memo initial date of appointment of the petitioner is 19th March, 2000. Such anomaly in the approval memo relating to date of appointment of the petitioner prompted him to approach this Court with the writ petition being WPA 15267 of 2021 and same was disposed of vide order dated 7th October, 2021 directing the District Inspector of Schools (SE) Hooghly being respondent no. 2 herein to take necessary steps.

Learned advocate representing the petitioner submits that pursuant to said order dated 7th October, 2021 D.I. issued approval memo afresh on 10th July, 2018 incorporating correction of date of initial appointment of the petitioner in the school i.e. 19th March, 2001. Grievance of the petitioner is reckoning initial date of appointment of the petitioner 19th March, 2001 though 18 years' and 20 years' benefits have been granted to the petitioner but without releasing arrear dues. Petitioner prays for release of arrear benefits and in this regard a representation has been made to the respondent no. 2 on 17th September, 2024 which is pending.

State-respondents are represented by learned advocate who submits since issue is pending before the respondent no. 2 and representation has already been made by the petitioner, if this Court finds it fit the respondent no. 2 may be directed to take decision in accordance with law.

Having considered the submissions made on behalf of the parties, writ petition stands disposed of directing the District Inspector of Schools (SE), Hooghly to take decision on the representation of the petitioner dated 17th September, 2024 which is at pages 57 and 58 of the writ petition claiming arrear dues, by 8 (eight) weeks from the date of communication of this order and respondent no. 2 shall pass reasoned order after granting opportunity of hearing to the petitioner and aforesaid

school authority or their representatives. Decision to be taken by the respondent no. 2 shall be communicated to the parties by 1 (one) week thereafter.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)