

W.P.A. 27245 of 2024

**Sri Bhabesh Chandra Sasmal
Vs.
The State of West Bengal & Ors.**

Mr. Manoranjan Jana
Mr. Rajes Jana
...for the petitioner

Mr. Amit Gupta
Ms. Priyanka Jana
...for the State

Mr. Kunal Ganguly
...for the Board

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

By presenting this writ petition, *inter alia*, prayer is made for payment of arrear salary in favour of the petitioner who worked as assistant teacher in a Government aided secondary school. It is further submitted that petitioner retired on superannuation on 31st March, 2002 and thereafter on settling the pension case retiral dues including pension were sanctioned in his favour and at present petitioner is in receipt of pension. Petitioner prays for consideration of representation which were made for payment of arrear salary by the State-respondents.

State-respondents are represented by learned advocate who has opposed the prayer of the petitioner on the ground of delay since petitioner retired on 31st

March, 2002 and writ petition was filed in the month of November, 2024.

Having considered the respective submissions made on behalf of the parties this Court finds substance in the submission made on behalf of the State-respondents since precisely 22 years after superannuation of the petitioner present writ petition has been filed on 12th November, 2024 claiming arrear salary which is alleged to be payable while petitioner was working as assistant teacher. On perusal of the writ petition apart from preferring representations no plausible explanation is found for approaching this Court after such a long time.

It is settled principle as enunciated by the Hon'ble Supreme Court that though there is no period of limitation in preferring writ petition but ordinarily the writ petition should be instituted within a reasonable time from the date of cause of action. It is further decided that such reasonable time is three years.

In view of aforesaid discussion no relief can be granted to the petitioner at this belated stage. Accordingly, the writ petition stands dismissed.

There shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)