

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

40 02.9.2024
kc Ct. no.2

WPA 1819 OF 2024

Jyotsna Dutta

Vs.

The State of West Bengal & Ors.

Mr. Deborshi Dhar

....For the Petitioner

Mr. Hirak Barman, Adv.

Mr. Sourav Sarkar, Adv.

....For the State

Mr. Deborshi Dhar, learned advocate for the petitioner, drawing attention of this Court to a communication dated July 8, 2024 at page 24 to the writ petition, submits that though there was a direction by the Deputy Director of School Education (R/P), West Bengal, upon the respondent no.5 to take appropriate steps and to dispose of the application of the petitioner dated April 18, 2024, **annexure-P-3** at page 20 to the writ petition, no steps have been taken. The petitioner claims mandamus upon the respondent no.5 to dispose of the said representation dated April 18, 2024.

Mr. Sourav Sarkar, learned State advocate led by Mr. Hirak Barman, learned State Counsel, appears for respondent no.1 and 5 to 7.

After considering the submissions made on behalf of the parties and upon perusal of the materials-on-record, the respondent no.5 is directed, upon issuing a prior notice of hearing of at least seven days to the petitioner, to dispose of the representation of the petitioner dated April 18, 2024, **annexure P-3** at page 20 to the writ petition after granting her an opportunity of hearing and by passing a reasoned order.

The entire exercise, as directed herein, shall be carried out and completed by the respondent no.5 positively within a period of **six weeks** from the date of communication of this order. The reasoned order then shall be communicated to the petitioner positively within a period of further **two weeks** from the date of the said order to be passed.

It is made clear that this Court has not gone into the merits of the writ petition. The petitioner shall be at liberty to urge whatever points she wishes to urge before the respondent no.5 by relying upon whatever records and documents she wished to rely upon.

After considering the issue, the respondent no.5 and/or any other appropriate authority shall

release the payment and regularize the pension amount in accordance with law positively within a period of **two weeks** from the date of the said reasoned order to be passed.

Since affidavits are not called for, the allegations made in this writ petition are not deemed to have been admitted by the respondents.

With the above observation and directions, this writ petition being **WPA/1819/2024** stands disposed of, without any order as to costs.

(Aniruddha Roy, J.)