

08 10.01.2025
rkd Ct.18

W.P.A. 361 of 2025

Rituparna Mukhopadhyay

-vs-

The State of West Bengal & Ors.

Mr. Sourav Mitra,
Mr. Deb Kumar Deashi,
Mr. Shubhojyoti Dutta,
Ms. Anusheya Basu Dutta,
Mr. Sayan Daw

....for the petitioner.

Ms. Mousumi Biswas

....for the State.

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

The learned advocate representing the petitioner in reference to the resolution of the Managing Committee of the school dated 10th July, 2019 where she is presently working, submits that husband of the petitioner is working in Canada Bank who was transferred to Gauwahati on and from 29th April, 2019.

After husband of the petitioner was posted at Gauwahati both husband as well as petitioner are entitled to draw house rent allowance since they were staying at different places, petitioner was staying at Kolkatta whereas husband of the petitioner was staying at Gauwahati.

By adopting resolution dated 10th July, 2019

Managing Committee of the school has forwarded the issue to the District Inspector of Schools (SE), Howrah for releasing house rent allowance in favour of the petitioner with effect from 29th April, 2019 and the concerned District Inspector of Schools (SE) in his turn has forward the issue vide memo dated 22nd March, 2022 to the Commissioner of School Education, West Bengal for taking final decision.

It is also submitted that representation has been made to the State respondents dated 21st May, 2024 seeking payment of house rent allowance but such attempt on the part of the petitioner could not yield result compelling the petitioner to approach this Court with the present writ petition.

State respondent are represented by learned advocate and it is submitted that since the issue is pending before the Commissioner of School Education being respondent no.2, the issue may be decided in accordance with law.

Having considered the submissions made on behalf of the parties and taking note of the memo dated 22nd March, 2022 issued by the concerned District Inspector of Schools (SE) addressed to the respondent no.2, this Court finds it fit to direct the respondent no.2 to take decision on release of house rent allowance in favour of the petitioner within

specified time.

Accordingly, respondent no.2 is directed to take decision on claim of the petitioner to release house rent allowance to her within a period of eight weeks from the date of communication of this order after granting opportunity of hearing to the petitioner or her representative.

Respondent no.2 shall pass a reasoned order and same shall be communicated to the petitioner by one week thereafter.

The writ petition stands disposed of.

However, 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.)