

04.08.2025

ML.298

Ct. No.18

(pp)

WPA 2062 of 2024

Sajal Paik

Vs.

The State of West Bengal & Ors.

Mr. Samim Ahammed,
Ms. Ambiya Khatun

... for the petitioner.

Mr. Pradip Kumar Mandal,
Mr. Bishnupada Jana

....for the State.

Mr. Basudeb Patra,
Mr. Iswar Chandra Maiti

.....for the respondent nos.5 & 6.

1. Petitioner is working as an Assistant Teacher in Goabaria High School, Howrah from 24th October, 2008. Prior to that petitioner was working as an Assistant Teacher in another school on and from 12th October, 2007. It is pointed out by the learned advocate representing the petitioner that petitioner completed 10 years of continuous approved service on 12th October, 2017. It is contended that petitioner till date has not been paid 10 years' benefit in terms of relevant ROPA Rules.
2. There is another prayer couched in this writ petition that arrears for upgrading pay of the petitioner under ROPA, 2019 was not paid for 2 months that is January, 2020 and February,

2020, but from March, 2020 petitioner was paid benefits under ROPA, 2019.

3. Prayer is made for release of arrear dues under ROPA, 2019 in favour of the petitioner.
4. A memo dated 26th March, 2025 issued by the District Inspector of Schools (S. E.), Howrah is filed today by the learned advocate representing the State respondents and the same is taken record.
5. In support of non-payment of arrear benefits under ROPA, 2019, it is stated that there are certain documents which are required to be filed by the school authority.
6. However, this Court fails to understand when benefits of ROPA, 2019 were released in favour of the petitioner from March, 2020 why petitioner will not get arrear benefits under ROPA, 2019.
7. No satisfactory reply has been offered on behalf of school authority as well as the State respondents in support of non-payment of arrear benefits from earlier date.
8. Taking note of the fact that petitioner was paid benefits under ROPA, 2019 from March, 2020,

he is entitled to receive arrear dues under ROPA, 2019.

9. Concerned State respondents as well as the school authority are directed to release arrear benefits as payable in terms of ROPA, 2019 to the petitioner by 4 weeks from the date of communication of this order.
10. There is another issue that is relating to sanction of 10 years' benefit in favour of the petitioner.
11. It is contended that till date 10 years' service benefit has not been accorded though petitioner completed 10 years' service on 12th October, 2017.
12. Leave is granted to the petitioner to make a comprehensive representation to the Commissioner of School Education, West Bengal claiming 10 years' service benefit within a fortnight from the date.
13. If such representation is made, Commissioner of School Education shall decide the same within 10 weeks thereafter on granting opportunity of hearing to the petitioner and the school authority or their representatives. The Commissioner of School Education shall pass a

reasoned order and same shall be communicated to the petitioner by a fortnight thereafter.

14. The writ petition stands disposed of.
15. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)