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(DL)

19.03.2025  
Ct. No. 18  
(ARPAN)

**W.P.A. 4033 of 2025**

**Rima Mandal  
Vs.  
The State of West Bengal & Ors.**

Sk. Sahjahan Ali

...for the Petitioner

Mr. Suman Dey  
Ms. Kalpita Paul

...for the State

Mr. Sakti Pada Jana  
Mr. Subhajyoti Das

...for Respondent No.6

Grievance of the petitioner is non-payment of house rent allowance from 1<sup>st</sup> April, 2024 by the State authorities in connection with her service as an Assistant Teacher of Domohani Kelejora High School (H.S.), Paschim Bardhaman (hereinafter referred to as '*the said school authority*'). It is submitted that petitioner is an Assistant Teacher of the said school whereas her husband was an employee of Damodar Valley Corporation (DVC) and was posted at Asansol and they were staying at the quarter of DVC at Asansol which was allotted to her husband. On promotion husband of the petitioner has been posted at Kolkata and now they are staying separately. Husband is staying at Kolkata whereas petitioner is staying at Asansol.

It is contended on behalf of the petitioner that both the spouses are entitled to receive house rent allowance in terms of Clause 2(c) of the Government memorandum dated 27<sup>th</sup> July, 2011.

District Inspector of Schools (S.E.), Paschim Bardhaman was approached by the petitioner for release of house rent allowance from 1<sup>st</sup> April, 2024 and issue was forwarded by the concerned District Inspector of Schools (S.E.) to the Commissioner of School Education, West Bengal *vide* memo dated 10<sup>th</sup> December, 2024.

Grievance of the petitioner is till date Commissioner has not taken any decision on entitlement of the petitioner to receive house rent allowance irrespective of sanction of house rent allowance in favour of her husband.

State and the said school authority are represented by learned advocates who have also submitted since the issue has been forwarded to the Commissioner of School Education, West Bengal by the District Inspector of Schools (S.E.), Paschim Bardhaman *vide* memo dated 10<sup>th</sup> December, 2024, Commissioner needs to decide the same in accordance with law.

Having considered the submissions made on behalf of the parties, writ petition stands disposed of granting leave to the petitioner to make a representation to the Commissioner of School Education, West Bengal being respondent no.3 by fortnight from date claiming house rent allowance from 1<sup>st</sup> April, 2024 keeping in view of the fact that the spouses are staying separately. If such representation is made within the aforesaid time,

respondent no.3 is directed to decide the same by passing a reasoned order by eight (8) weeks thereafter, after granting opportunity of hearing to the petitioner or her representative. The decision to be taken by respondent no.3 shall be communicated to the petitioner by ten (10) days thereafter.

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

**(Saugata Bhattacharyya, J.)**