

04.08.2025
Item No. M/L 285
Ct. No. 30
Aloke

WPA 8191 of 2016

**Samir Krishna Bahdyopadhyay
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Sarkar
Ms. Sabita Khutia (Bhunya)
Mr. Bitun Sarkar
Ms. Sneha Maity
... for the petitioner

Affidavit-of-service filed be kept with the record.

The writ application has been preferred praying for direction upon the respondent authorities to consider the petitioner's representation praying for approval of five increments in favour of the petitioner since 1979 at the time of his initial appointment in the Kalyani Notified Area Authority as Sub-Assistant Engineer (Mechanical) and to fix and finalize the monthly pension of the petitioner by fixing and approving the pay scale given by the Kalyani Municipality by approving five advance increments.

On hearing the learned counsel for the petitioner, it appears that the Chairman, Kalyani Notified Area Authority vide a letter dated 04.07.1979 had informed the petitioner that his request for pay protection is under consideration. But as there was no response as to such consideration, the petitioner preferred the writ application in the year 2016.

It is submitted by the learned counsel for the petitioner that in spite of making several prayers and representations before the authorities concerned, there has been no response from the authorities concerned.

It appears that the petitioner has preferred representations dated 28.10.2010, 11.12.2010, 18.06.2013 and 31.08.2015. But none of these representations were ever considered.

On hearing the parties and on considering the said materials on record, the writ application is disposed of with the direction that the respondent authorities shall consider the said representations of the petitioner and on hearing the parties concerned on the basis of the documents, shall pass a reasoned order in accordance with law within a period of 60 days from the date of communication of this order.

In case the copies of the representations are not available with the authorities concerned, the petitioner is at liberty to file a copy of the same before the authorities concerned who shall then consider the same as directed.

It is clarified that this Court has not gone into the merits of the case and the authorities concerned are at liberty to come to their own independent findings in accordance with law.

The writ application is disposed of.

Connected application, if any, stands disposed of.

Interim order, if any, stands vacated.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Shampa Dutt (Paul), J.)