

22.01.2025
Court No. 18
Item No. 02
(Suvendu)

WPA 30734 of 2024

Nilotpall Ganguly

-Versus-

The State of West Bengal & Ors.

Mr. Washef Ali Mondal

.....for the petitioner

Mr. S.P.Lahiri

Mr. Sayan Datta

.....for the State

Ms. Koyeli Bhattacharya

Mr. Bibek Dutta

...for the WBBSE

Mr. Tushar Kanti Mandal

.....Headmaster (In-person)

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

Petitioner has prayed for grant of one
additional incremental benefit on completion of
twenty years continuous service which petitioner
completed on 13th January, 2021 and according
to the petitioner, such incremental benefit is
payable to him in terms of order of the District
Inspector of Schools (SE), Purulia dated 18th
July, 2024.

Today, Mr. Tushar Kanti Mandal,
headmaster of Vidyasagar Vidyapith, Palashkola,
Purulia appears in-person and he has submitted

that he has personal objection against the decision taken by the District Inspector Schools (SE), Purulia dated 18th July, 2024 by which it was decided that petitioner is entitled to receive one additional incremental benefit.

However, on query being posed to the Headmaster, he has admitted that he has not questioned the validity of the order of the District Inspector of Schools (SE), Purulia dated 18th July, 2024 by taking legal step. It is also submitted that no step has been taken questioning the resolution of the Managing Committee of the said school dated 3rd February, 2022 by which decision was taken in favour of the petitioner. Mere sending letter against such decision of the Managing Committee to the concerned District Inspector of Schools and giving note of dissent in the Managing Committee resolution are not sufficient steps in the event objection of the Headmaster is not adhered to. He should have taken legal steps against the resolution of the Managing Committee dated 3rd February, 2022.

Since decision of the District Inspector of Schools (SE), Purulia dated 18th July, 2024 has not been assailed and such decision has been

taken considering resolution of the Managing Committee of the aforesaid school dated 3rd February, 2022, Headmaster of Vidyasagar Vidyapith being respondent no. 6 is directed to refix the pay of the petitioner by granting benefit of additional increment strictly in terms of order of the District Inspector of Schools dated 18th July, 2024 and send the bill to said District Inspector of Schools (SE), Purulia being respondent no. 3 by 28th January, 2025. On receipt of papers including bill relating to refixation of pay of petitioner from respondent no. 6, respondent no. 3 is directed to release twenty years serve benefit to the petitioner by four weeks thereafter.

With the aforesaid observations and direction, writ petition stands disposed of.

There shall be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)

