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(DO)

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA 11740 of 2025

**DR. KARTICK CHANDRA SAMANTA
Vs.
THE STATE OF WEST BENGAL & ORS.**

Mr. Monish Sen, Advocate

Ms. Oisni Mukherjee, Advocate

.....for the Petitioner

1. Affidavit of service, as filed, be kept with the record.
2. In spite of service, there is no appearance on behalf of the respondents.
3. The petitioner is a retired principal of Chandrapur College, Purba Bardhaman. The petitioner, has upon retirement, obtained all his retiral benefits except for the leave encashment which is approximately Rs.24 lakhs.
4. Even though, there is no apparent reason which can be culled out from the surrounding circumstances and as fairly submitted by Mr. Sen, learned Advocate appearing for the petitioner that the petitioner had put the initial of the Teacher-in-Charge, a mandatory requisite, in the Leave Encashment Form submitted with the respondent no. 2.
5. The reason for this infraction is that the teacher-in-charge at the material point of time was a colleague and a close friend of the petitioner and the petitioner in order to expedite the process had taken the liberty. In fact, the petitioner had sought for an unconditional apology from the concerned authorities by e-mail on 21.01.2022, a copy whereof is produced in Court and taken on record.
6. The authority and the teacher-in-charge have not taken any step against the petitioner nor aggravated

- the situation in any manner; wherefrom it appears that the matter has been closed on an amicable term.
7. The moot question that remains, is whether the petitioner is entitled to leave encashment, request whereof is pending before the respondent no. 2.
 8. In spite of service of notice and this Court waiting for more than two days for the respondents to appear, there is no appearance or representation on behalf of any of the respondents.
 9. In the circumstances as afore-stated, I direct the respondent no. 2 to dispose of the representation of the petitioner dated 11.12.2024 with a hearing to the petitioner as well as the college authorities and particularly, the teacher-in-charge, the respondent no. 4 herein.
 10. Such hearing should be conducted with adequate prior notice to the parties by 20.03.2026 and should be disposed of by a reasoned order by 30.03.2026.
 11. The respondent no. 2 will intimate the petitioner and the other appearing parties about the result of such consideration by 10.04.2026.
 12. With the afore-stated directions, **WPA 11740 of 2025** is **disposed of**. No order as to costs.

(Reetobroto Kumar Mitra, J.)

