

ML-524
20.02.2026
Court No.18
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 14195 of 2024

Madan Chandra Das
-versus
The State of West Bengal & Ors.

Ms. Sabita Khutia (Bhunya)
Ms. Ria Bhunya
... For the petitioner

1. Affidavit of service filed in Court today is taken on record. None appears for the respondents.

2. The petitioner seeks a prayer for consideration of his representation for condoning the shortfall in his pensionable service period.

3. The petitioner claims that he served as Part Time Teacher on contractual basis for a certain period prior to his joining service on regular basis. There has been shortfall in his pensionable service period.

4. Prayer has been made to condone the same relying on the law laid down by the Hon'ble Division Bench of this Court on **18th February, 2020** in **FMA 677 of 2015 (The State of West Bengal & Ors. Vs. Kartick Chandra Das & Ors.)**.

5. The petitioner also relies upon orders passed by various coordinate Benches of this Court directing

the employer to take into consideration the period of service rendered by the employee in the school prior to its recognition.

6. It appears that a representation filed by the petitioner seeking pensionary benefit on condonation of shortfall in his pensionable service period is pending consideration before the respondent authorities for a considerable period of time.

7. Without entering into the merit of the claim of the petitioner, the instant writ petition is disposed of by directing the Commissioner of School Education (Secondary Education), Government of West Bengal, being the respondent no. 2 herein, to take a decision on the representation filed by the petitioner in accordance with law and in line with the judgment/order passed by the Hon'ble Division Bench of this Court in the matter of Kartick Chandra Das (supra) and other similar matters at the earliest but positively within a period of eight weeks from the date of communication of this order.

8. A reasoned order shall be passed and communicated to the petitioner immediately thereafter.

9. If the prayer of the petitioner is allowed, then necessary consequential steps shall be taken without any further delay.

10. Learned advocate of the petitioner is directed to forward a copy of the representation dated 22nd March, 2021 along with all supporting documents including judicial precedents to the aforesaid respondent at the time of communicating the order of this Court.

11. The writ petition stands disposed of.

12. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

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

(Amrita Sinha, J.)