

11.02.2026
Ct. No.24
Sl. No.5
akd

W. P. A. 29786 of 2025

[Rafik Sekh -Vs- The State of West Bengal & Ors.]

Ms. Sabita Khutia (Bhuniya)
Ms. Arpita Saha
... .. for the petitioner

Mrs. Tapati Samanta
... .. for respondent no. 4
[District Library Officer]

Mr. Swapan Kumar Datta .. ld. Govt. Pleader
Mr. Tapas Kumar Roy
Mr. Kaustav Chatterjee
... .. for the State

1. Affidavit-of-service filed in Court today is taken on record.
2. The petitioner seeks interest on the arrear salary, in excess of Rs.10,50,000/-.
3. Mrs. Tapati Samanta, learned Advocate appearing for the respondent no.4 submits that the writ petition has been instituted on gross suppression of material facts as by an earlier order of this Hon'ble Court dated March 23, 2023, the petitioner has already obtained an order for interest and has received interest pursuant thereto.
4. Mr. Swapan Kumar Datta, learned Government Pleader submits that the petition is grossly barred by limitation.
5. Ms. Sabita Khutia (Bhuniya), learned Advocate appearing for the petitioner submits that the petitioner has a continuing cause of action and the order relating to payment of interest was on the gratuity and pensionary benefits and not on the arrear salary. Hence, there is no suppression by the petitioner.

6. However, the petitioner admits that the order dated 17.05.2024 has not been challenged on account whereof, the petitioner does not wish to proceed with the instant writ petition.

7. The writ petition is thus dismissed.

8. There shall be no order as to costs.

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

(Reetobroto Kumar Mitra, J.)