

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

02 17.7.2025
Sc Ct. no.2

WPA 5177 OF 2025

Uday Sankar Das

Vs.

The State of West Bengal & Ors.

Mr. Arup Kumar Lahiri

....For the Petitioner

Mr. Pantu Deb Roy, AGP

Mr. Subrata Guha Biswas.

.... For the State

Mr. Debjit Mukherjee

Ms. Susmita Chatterjee.

.... For the Respondent

No.2/ District Judge

Mr. Suman Basu

.... For the Respondent

Nos. 4 & 5

Mr. Arup Kumar Lahiri, learned Advocate appears for the petitioner.

Mr. Pantu Deb Roy, learned Additional Government Pleader with Mr. Subrata Guha Biswas, learned State Advocate appears for the State.

Mr. Debjit Mukherjee, learned Advocate appears for the respondent no.2.

Mr. Suman Basu, learned Advocate appears for the respondent nos. 4 and 5.

The order dated **May 7, 2025** speaks for itself.

The next order dated **May 19, 2025** specifically records that, the right of the petitioner has already been decided and accordingly, payment has to be released to the petitioner.

The orders dated **June 23, 2025** and **July 10, 2025** show that, State has taken time on both the occasions.

Mr. Debjit Mukherjee, learned Advocate appearing for the respondent no.2 submits that, by two communications both dated **April 5, 2025**, issued by the district judiciary, all the relevant records and papers have already been placed before the Finance Secretary and the Judicial Secretary of the State. Therefore, no further information is required to be furnished from the end of the district judiciary before the State.

Learned Advocate for the respondent no.2 has further placed a forwarding letter dated **May 14, 2025** wherefrom it appears that both the said two communications dated **April 5, 2025** were personally made over to the learned Additional Government Pleader Mr. Pantu Deb Roy and he has accepted the same.

Mr. Pantu Deb Roy, learned Additional Government Pleader has placed a bunch of documents being part of a report on the present status, received by him from his clients. Copy of the bunch has been made over to this Court and the same is taken on record. **Page 18** of the said bunch is a letter dated **November 5, 2024**, issued by the judicial department wherefrom it appears that, the original Service Book and the relevant documents were returned to the concerned District Judge.

After considering the submissions made on behalf of the parties and on perusal of the materials on record,

as discussed above, it appears that the letter referred to by the Additional Government Pleader is dated **November 5, 2024** and thereafter by forwarding letters both dated **April 5, 2025**, as referred to above, the district judiciary has sought for necessary approval in terms of the order passed in the previous writ petition but till date the necessary approval has not been granted for releasing the fund.

In view of the above, the Finance Secretary shall forthwith **issue the necessary approval for fixation of Pay Scale** in accordance with law and thereafter the **necessary approval for release of fund** to enable the petitioner to receive the payment.

The entire exercise shall be carried out and completed by the Finance Secretary of the State if necessary, in consultation with the Judicial Secretary of the State and if necessary, with the assistance of the concerned learned District Judge but positively within a period of **three weeks** from date.

It is made clear that, a report shall be filed by the Finance Secretary showing compliance of the direction of this Court passed today on the next day.

The writ petition shall appear under the heading **“Motion (Top)”** on **August 19, 2025**.

(Aniruddha Roy, J.)