

20-04-2026
Item No.30
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.16816 of 2025

Pulak Majumdar

-vs-

The State of West Bengal & Ors.

Mr. Sudipta Dasgupta
Mr. Arindam Shit ...for the petitioner

Mr. Swapan Datta, sr. adv. & GP
Mr. Tamal Taru Panda
Ms. Sharmila Deb ...for the State

Mr. Ayan Banerjee
Mr. Dhiman Banerjee
...for the respondent no.5

1. Report in the form of affidavit filed by the State be taken on record.
2. The matter relates to grant of post facto approval to the post of Valuation Officer in which the petitioner served prior to his retirement.
3. There is a communication dated August 24, 2021 addressed by the Chief Executive Officer of the Howrah Improvement Trust to the Principal Secretary of the Urban Development & Municipal Affairs Department regarding approval under Section 30(c) of the Howrah Improvement Trust Act, 1956 for granting of approval in favour of the petitioner. Due to non-granting of the same, the petitioner is not getting financial benefit of his promotional post, despite he being promoted to the said post on June 30, 2021.
4. On March 29, 2022 the petitioner was entrusted

with additional assignment of Assistant Secretary of the erstwhile Howrah Improvement Trust in addition to his normal duties of the Valuation Officer and he superannuated from service on May 31, 2024 as Assistant Valuer, KMDA (HIT wing).

5. From the documents annexed to the writ petition, it appears that though the Howrah Improvement Trust sought for approval from the Urban Development & Municipal Affairs Department, but KMDA, the authority with which the Howrah Improvement Trust stood merged, did not take up the issue further for obtaining approval of the petitioner to the promotional post of Valuation Officer.
6. Since, admittedly, the petitioner has retired from service and would be entitled to all financial benefits in respect of the promotional post in which he actually performed and was thereafter entrusted to discharge duties, as such, the petitioner would be entitled to be paid in accordance with the post and the duties that he performed.
7. The competent authority of KMDA is directed to follow up the matter with the Urban Development & Municipal Affairs Department and take a decision in the matter.
8. The writ petition is made returnable on June 8, 2026.
9. An updated report from KMDA and the Urban Development & Municipal Affairs Department shall be placed before the Court on the returnable date.
10. All parties are to act on the server copy of this order duly downloaded from the official website of

this Court.

11. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]