

Item No.- 56
24.08.2026
Court No. 18
Rohan

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

WPA 16816 of 2025

**Pulak Majumdar
Versus
The State of West Bengal & Ors.**

Mr. Sudipta Dasgupta
Mr. Arindam Shit

... for the Petitioner

Ms. Aparna Banerjee, Ld. AGP
Mr. Arijit Bhowmick

... for the State

Mr. Sahasrangshu Bhattacharjee, Ld. AGP
Mr. Lokenath Chatterjee
Ms. Mary Datta

... for the HIT

1. The petitioner is aggrieved that having served as a Valuation Assistant and thereafter, as a Valuation Officer, he was entitled, pursuant to the proposal approved by the Chief Executive Officer, Howrah Improvement Trust to the rank of a Valuation Officer of the Howrah Improvement Trust.
2. The proposal was sent by the Chief Executive Officer of the Howrah Improvement Trust on August 24, 2021 to seek approval/sanction from the State Government. This proposal sent by the Howrah Improvement Trust (HIT) has not yet been considered and is lying unattended.

3. In the meanwhile, as informed, HIT has now merged with Kolkata Metropolitan Development Authority (KMDA) on May 29, 2023. It seems that the proposal which had been forwarded by the CEO of HIT on August 24, 2021 has not been considered at all.
4. Since the petitioner was given the promotion by the concerned authority at the material point of time and it appears from the documents on record that the sanction from the Urban Development and Municipal Affairs Department had been withheld for no reason since August, 2021.
5. The promotion of the petitioner or his eligibility is neither in question nor in doubt as he had worked at such post (Valuation Officer) since 2021. However, since the authorities have not given the sanction or approval to such appointment of the petitioner to such post, the petitioner has been deprived of the benefits of such promotional post. It is not in dispute that the petitioner has discharged his duties in the post of Valuation Officer without any protest and/or demur or any complaint from any of the authorities.
6. The petitioner cannot be deprived of his entitlements merely because there is some interdepartmental deficiency of communication.

7. The petitioner will be given notional benefits of the promotional pay since 2021, as the petitioner has admittedly retired from service in May, 2024.
8. The KMDA with which HIT has merged, will take all necessary steps with the concerned Principal Secretary and ensure that the petitioner is paid his arrear of salary and retiral benefits on the basis of the enhanced notional pay.
9. With the aforestated direction, the writ petition is disposed of.
10. There shall be no order as to costs.
11. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with all requisite formalities.

(Reetobroto Kumar Mitra, J.)