

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.145 of 2024

Jiban Debnath,

Son of Late Birendra Kumar Debnath, resident of village-Vidyapith Corner, Belonia, PO & PS-Belonia, District-South Tripura, Pin-799155, Age-55 years.

...Petitioner

Versus

1. The State of Tripura, represented by the Education (School) Department, Government of Tripura, New Secretariat Complex, Gurkhabasti, Agartala, PO-Kunjaban, PS-New Capital Complex, Sub-Division -Sadar, District- West Tripura.

2. The Director of Secondary Education, Government of Tripura, Shiksha Bhavan, Akhaura Road, PO- Agartala, PS-West Agartala, District- West Tripura, Pin-799001.

3. The Managing Committee, Belonia Vidyapith Higher Secondary School, represented by its Secretary, Belonia, District- South Tripura.

4. The District Education Officer South District Office (Chairman of DPC), Belonia, District- South Tripura.

5. The Secretary, Managing Committee

Belonia Vidyapith Higher Secondary School (Member of DPC), Belonia, District- South Tripura.

6. The Sub-Divisional Welfare Officer SDM, Belonia Sub-Division (Member of DPC), Belonia, District- South Tripura.

.... Respondent(s)

Along with

WP(C) No.213 of 2024

Sri Sanjit Biswas,

S/O Lt. Gouranga Biswas, Resident of Vidyapith Tilla, Belonia, P.O. & P.S.- Belonia, Pin-799155, District- South Tripura.

...Petitioner

Versus

1. State of Tripura,

represented by the Secretary to the Department of School Education, Government of Tripura, New Secretariat Complex, Gurkhabasti, P.O.-Kunjaban, P.S.-NCC, Agartala, District-West Tripura.

2. Director of Secondary Education, Government of Tripura, Shiksha Bhavan, Office Lane, Agartala, West Tripura.

3. Belonia Vidyapith Higher Secondary School, Represented by the Headmaster, Belonia, P.O. & P.S.- Belonia, Pin-799155, District- South Tripura.

4. Managing Committee, Belonia Vidyapith Higher Secondary School, Represented by the Secretary of the Managing Committee, Belonia, P.O. & P.S.- Belonia, Pin-799155.

5. Sri Jiban Debnath

S/o Late Birender Kumar Debnath, Vidyapith Corner, Belonia, P.O. & P.S.-
Belonia, Pin-799155, District-South Tripura.

.... Respondent(s)

WP(C) No.214 of 2024**Sri Mrinal Das,**

S/O Sri Gunadhar Das, Resident of 222, Kalyannagar, Dakshinpara,
Sabroom, P.O. & P.S.- Sabroom, Pin-799145, District- South Tripura.

...Petitioner

Versus

1. State of Tripura,

Represented by the Secretary to the Department of School Education,
Government of Tripura, New Secretariat Complex, Gurkhabasti, P.O.-
Kunjaban, P.S.-NCC, Agartala, District-West Tripura.

2. Director of Secondary Education, Government of Tripura, Shiksha
Bhavan, Office Lane, Agartala, West Tripura.

3. Belonia Vidyapith Higher Secondary School, Represented by the
Headmaster, Belonia, P.O. & P.S.- Belonia, Pin-799155, District- South
Tripura.

4. Managing Committee, Belonia Vidyapith Higher Secondary School,
Represented by the Secretary of the Managing Committee, Belonia, P.O. &
P.S.- Belonia, Pin-799155, District- South Tripura.

5. Sri Jiban Debnath

S/o Late Birender Kumar Debnath, Vidyapith Corner, Belonia, P.O. & P.S.-
Belonia, Pin-799155, District-South Tripura.

.... Respondent(s)

In WP(C) No.145 of 2024

For Petitioner(s)	:	Mr. P. Roy Barman, Sr. Advocate Mr. Samarjit Bhattacharjee, Advocate Mr. K. Chakraborty, Advocate Mr. Kawsik Nath, Advocate
For Respondent(s)	:	Mr. P. Gautam, Sr. GA Mr. M. Debbarma, Addl. GA Mr. D. Sarma, Addl. GA

In WP(C) No.213 of 2024**In WP(C) No.214 of 2024**

For Petitioner(s)	:	Mr. D. Bhattacharjee, Sr. Advocate Mr. Samar Das, Advocate
For Respondent(s)	:	Mr. P. Gautam, Sr. GA Mr. P. Roy Barman, Sr. Advocate Mr. M. Debbarma, Addl. GA Mr. D. Sarma, Addl. GA Mr. Samarjit Bhattacharjee, Advocate Mr. Kawsik Nath, Advocate

Date of hearing and Delivery of Judgment & Order	:	21.01.2025
Whether fit for reporting	:	Yes

HON'BLE MR. JUSTICE ARINDAM LODH
JUDGMENT & ORDER (ORAL)

The above bunch of writ petitions involves similar and identical questions of law and facts, and as such, these are taken up and heard together for disposal with the consent of learned counsel appearing for the parties.

2. In WP(C) No.145 of 2024, the petitioner, Sri Jiban Debnath has challenged the impugned decision of Departmental Promotion Committee(for short, 'DPC') whereby and whereunder his promotion to the post of Assistant Headmaster under respondent no.3 was rejected. The writ petitioner of WP(C) No.213 of 2024, Sri Sanjit Biswas and the writ petitioner of WP(C) No.214 of 2024, Sri Mrinal Das, have challenged the seniority of Sri Jiban Debnath, the petitioner of WP(C) No.145 of 2024.

3. Short facts enumerated from the pleadings and submissions of learned counsel appearing for the parties are that the respondents-State had published a seniority list for promotion to the post of Assistant Headmaster in Belonia Vidyapith H.S School(Grant-in-aid school) vide Memo dated 23.05.2023[Annexure-1 to WP(C) No.145 of 2024]. In the said seniority list dated 23.05.2023, Sri Jiban Debnath[petitioner in WP(C) No.145 of 2024] was placed at serial no.1, Sri Sanjit Biswas [petitioner in WP(C) No.213 of 2024] was placed at serial no.15 and Sri Mrinal Das [petitioner in WP(C) No.214 of 2024] was placed at serial no.5.

4. Firstly, while dealing with the case of Sri Jiban Debnath [petitioner in WP(C) No.145 of 2024], it is found that the DPC was held on 17.02.2024 for consideration of promotion to the post of Assistant Headmaster/Headmistress of Belonia Vidyapith H.S School, Belonia, South Tripura and in terms of the guidelines of the Directorate of Secondary Education issued vide Memo.No.F.15(1-44)/SE/GIA/2023(Voll-2) dated 05.10.2023, the DPC while considering the promotion in respect of Sri Jiban Debnath had observed that, *‘The ACR submitted by Sri Jiban Debnath of the said school has been found with some irregularities and the guideline issued by the Director of Secondary Education (Grant-In-Aid Section), Agartala, West Tripura were not followed in writing of the Annual Confidential Report (ACR) for the purpose of the promotion to the Higher Post’*. However, the DPC had made an observation that Sri Jiban Debnath might be recommended after removing irregularities, if he so desires.

5. The respondents-State in their counter affidavit [WP(C) No145 of 2024] have stated at para 12 relating to observations made by the members of DPC. The said statement reads as under:-

“12. That, with respect to paragraph-2.12 of the writ petition, I humbly submit that a letter had been received on 01.03.2024 from the DEO Belonia, South Tripura regarding the recommendation of DPC along with relevant papers in connection with promotion to the post of Assistant Headmaster for Belonia Vidyapith H.S. School, Belonia, South Tripura.

The Departmental Promotion Committee (DPC) observed that the ACR as submitted by Sri Jiban Debnath of the said school has found some irregularities.”

The statements made in para 20 of the counter affidavit is also relevant in the context of the case which reads as under:-

“20. That, with respect to paragraph-2.21 of the writ petition, I humbly submit that the matter of non-consideration of the petitioner by the respondents of the said post is not acceptable as per Rules and due to some allegations raised against the petitioner.”

6. During the course of hearing, learned counsel appearing for the parties have fairly submitted that in all probability there were some mistakes in the construction of the sentence. According to learned counsel appearing for the parties, the construction/sentence meant to say that some irregularities were found in the ACRs of Sri Jiban Debnath [petitioner in WP(C) No.145 of 2024]. In my opinion also, this ought to have been the correct construction which the respondents-State wanted to state in their counter affidavit.

6.1 It is an admitted fact that only on the basis of this observation, the matter of promotion of Sri Jiban Debnath to the post of Assistant Headmaster was not considered.

7. During the course of hearing, I posed a question to Mr. P. Gautam, learned Sr. GA appearing for the State-respondents to inform the court about those irregularities. Mr. Gautam, learned Sr. GA has candidly submitted that there is nothing on record. He has drawn my attention only to the Memo. dated 16.02.2024 [Annexure R/2 to WP(C) 145 of 2024] whereby and whereunder a three-member Enquiry Committee was constituted to enquire and submit factual report along with specific views within 3(three) days to the office of the District Education Officer regarding

alleged unlawful activities of Sri Jiban Debnath, Headmaster In-charge of Belonia Vidyapith H.S School. The Committee submitted its factual report on 24.02.2024. In the said report they had stated that they visited the school on 19th February, 2024 and met Sri Jiban Debnath, Teacher In-charge of Belonia Vidyapith H.S School, Journalists and the Secretary of School Management Committee and on point basis they prepared the report and submitted the same to the District Education Officer, South District Education Office for consideration.

8. After perusal of the report, as regards the complaint lodged by the Child Welfare Committee(CWC) regarding corporal punishment of a student of Class-XI, namely, Smt. Souramita Debnath by Sri Jiban Debnath, it comes to fore that the Enquiry Committee, having examined Smt. Souramita Debnath found that Sri Jiban Debnath had stated that no such incident as alleged by CWC had happened. Regarding allegation made against Sri Jiban Debnath that he illegally assaulted some students is denied by him and stated that he was busy with school routine work. The Committee found that Sri Jiban Debnath prevented some journalists from entering into the school and misbehaved with them. At point no.4 of the findings of the Enquiry Committee, it is stated that Jiban Debnth, though was tested positive in Covid-19, but he came to school. In this regard, Sri Jiban Debnath informed the Committee that he did not have any knowledge about the report/result that he and his daughter were tested positive. The Committee found storage of 3,400 kg rice of School MDM was damaged due to un-hygenic and very poor condition of storage and consequently, Sri Debnath was made responsible for the damage and also Rs.10,200/- was

imposed upon him as penalty. There are some other findings also and thus the Enquiry Committee submitted its report on 24.02.2024.

9. Mr. P. Roy Barman, learned senior counsel assisted by Mr. Samarjit Bhattacharjee, learned counsel appearing for the petitioner in WP(C) No.145 of 2024 has submitted that the meeting of DPC was held on 17.02.2024 and it is apparent that the report of the Committee was submitted before the District Education Officer on 24.02.2024. So, it is clear that on the date of the meeting of consideration of promotion of eligible teachers for promotion to the post of Assistant Headmaster was not before the DPC. So, it should not be taken into account for consideration of promotion of Sri Jiban Debnath to the post of Assistant Headmaster of Belonia Vidyapith H.S School.

9.1 Mr. Roy Barman, learned senior counsel has further submitted that the petitioner is senior to Sri Sanjit Biswas and Mrinal Das [petitioners of WP(C) No.213 of 2024 and WP(C) No.214 of 2024 respectively].

10. Now dealing with the claim of Sri Sanjit Biswas and Sri Mrinal Das that they are senior to Sri Jiban Debnath, it is found, that claim is based on rule vide memo dated 07.12.2022 [Annexure-2 to the writ petition] framed by the Directorate of Secondary Education, Government of Tripura.

11. Mr. D. Bhattacharjee, learned senior counsel assisted by Mr. Samar Das, learned counsel appearing for the petitioners in WP(C) No.213 of 2024 and WP(C) No.214 of 2024 drawing my attention to Clause II (b) of Rule 5 of Grant-in-Aid (Government Aided Schools) Rules, 2005 has submitted that though Sri Jiban Debnath entered into service much prior to

Sri Sanjit Biswas and Sri Mrinal Das, but they acquire Masters Degree including B.Ed. degree prior to Sri Jiban Debnath. As such, as per Clause II (b), they are senior to Sri Jiban Debnath. Mr. Bhattacharjee, learned senior counsel has taken me to the statements made in para-9 of WP(C) No.213 of 2024 where it is stated thus:-

“9. That, the Petitioner has completed Bachelor of Science (Honours) in Chemistry securing 53.44% marks in 2004. Petitioner did Masters in Science (Chemistry) securing 54.20% marks in 2006. Petitioner also did B.Ed. course in the year 2008. The Petitioner thereafter joined in the post of Post Graduate Teacher in Chemistry under Respondent No.-3. Needless to mention here that Petitioner also did M.Ed. in 2014. On the contrary Respondent No.-5 entered in the service under Respondent No.-3 on 13/06/1997 as an Assistant Teacher in Physics. The Respondent No.-5 had completed Graduation in Physics (Honours) but obtained Masters degree in different subject i.e. Education in 2015, which is not relevant subject and obtained B.Ed. degree in the year 2013. The Respondent No.-5 did his B.Ed. degree without approval from the Government i.e. the Respondent No. 1 and 2. It is required to mention here that Respondent No.-5 being the Teacher-in-Charge of Respondent No.-3 suppressed those facts to the Respondent No. 1 to 4 while preparing the Final Seniority List and as a sequel DPC runs with this wrong Seniority List. Respondent No.-5 also suppressed these facts to the Hon'ble Court in W.P.(C) 145 of 2024.”

11.1 Drawing my attention to the above statements, Mr. Bhattacharjee, learned senior counsel has mainly submitted that Sri Sanjit Biswas and Mrinal Das have obtained Masters Degree and B.Ed degree, the requisite qualifications for consideration of promotion to the post of Assistant Headmaster much prior to obtaining of Master degree and B.Ed degree of Sri Jiban Debnath [petitioner in WP(C) No.145 of 2024]. So, according to learned senior counsel, Sri Jiban Debnath should be treated as junior to Sri Sanjit Biswas and Sri Mrinal Das, since he obtained the

requisite qualification for consideration of promotion subsequent to Sri Sanjit Biswas and Sri Mrinal Das. To support his submission, Mr. Bhattacharjee, learned senior counsel has relied upon the decision of Supreme Court rendered in ***Madhavi Vs. Chagan &Ors., Civil Appeal No.3966 of 2020 [arising out of SLP (Civil) No.9611 of 2019]***.

12. I have considered the submissions advanced by learned counsel appearing for the parties and also perused the documents attached to the writ petitions and counter affidavits.

13. To consider the above three writ petitions, in my opinion, following points are necessary to be determined:-

- I. *Whether the findings and decisions of the DPC are tenable in law?*
- II. *Whether Sri Jiban Debnath [petitioner in WP(C) No.145 of 2024] is senior to Sri Sanjit Biswas and Sri Mrinal Das [petitioners in WP(C) no.213 of 2024 and WP(C) no.214 of 2024, respectively] in terms of Clause II (b) of Rule 5 of Grant-in-Aid (Government Aided Schools) Rules, 2005 as amended up-to-date?*

14. To deal with the *first* point, whether the decision of DPC is tenable in law, I may take note of the grounds taken by the members of DPC in its meeting held on 17.02.2024. On scrutiny of the observation made by DPC, it is clear that DPC rejected the consideration of promotion of Sri Jiban Debnath to the post of Assistant Headmaster on the ground that they found some irregularities in the ACRs of Sri Jiban Debnath.

Astonishing feature is that, the DPC has not outlined as regards the irregularities found in the ACRs of the petitioner (Jiban Debnath).

15. In course of hearing, the respondents-State have not produced any records relating to the ACRs of the petitioner, Sri Jiban Debnath to substantiate the irregularities. In the counter affidavit also there is no mention of the irregularities. In addition, if there were some irregularities found in the ACRs of Sri Jiban Debnath, next question naturally will be whether the petitioner was communicated about those irregularities found in his ACRs. In this regard also the respondents-State could not furnish any document to substantiate the fact that it was ever communicated to Sri Jiban Debnath. In view of this, even if DPC found some irregularities in the ACRs of the petitioner, then it would not be considered as a ground for rejecting the consideration of promotion of Sri Jiban Debnath to the post of Assistant Headmaster. It is settled proposition of law that any adverse remark/entry made in the ACR of an employee must be communicated to such employee, otherwise it will not have any impact or effect on the service of the government employee.

16. Another important feature I have noticed that even if there were some complaints against Sri Jiban Debnath, those were found to be post-dated, i.e. DPC held its meeting on 17.02.2024, but complaint was lodged on 24.02.2024, so this complaint could not be considered by DPC when its meeting was held on 17.02.2024.

17. More importantly, there is no record or evidence that any disciplinary proceeding was initiated or pending at the time when necessary process for consideration of promotion to the post in question

was placed before DPC. Upon examination of the facts, I am unable to discern any valid grounds for denying his eligibility for consideration for promotion.

18. Ultimate finding is that, on the date of consideration of promotion there was no complaint of irregularities against Sri Jiban Debnath before the DPC. Hence, the first question is determined in favour of Sri Jiban Debnath and on factual context of the present case the rejection of the Sri Jiban Debnath for consideration of promotion to the post of Assistant Headmaster on the basis of the observation made by DPC is bad, arbitrary, discriminatory and violative of Articles 14 and 16 of the Constitution of India. Therefore, the decision of the DPC is legally unsustainable and is liable to be set aside.

19. Now, coming to the next point for determination whether Jiban Debnath is senior to Sanjit Biswas and Mrinal Das. At the outset, I have gone through Clause II (b) of Rule 5 of Grant-in-Aid (Government Aided Schools) Rules [here-in-after referred to as 'GIA Rules, 2005'], which reads as under:-

“b) Appointment to the post of Assistant Headmaster/Assistant Headmistress shall be made on promotion from among the Post Graduate Teachers (PGT) of concerned GIA School having at least Seven years regular teaching experience and requisite qualification, i.e. Post Graduate (Master degree) with 50% marks including B.Ed through the duly Constituted Departmental Promotion Committee (DPC) approved by the Director of Secondary Education. Promotion shall be made strictly according to seniority cum merit cum ACR.”

19.1. On meticulous reading of the said Clause (b), I find that it has four parts which are as under:-

“(a) Promotion will be made from among the Post Graduate Teachers (PGT) of concerned GIA School having at least Seven years of regular teaching experience.

(b) Requisite qualification is Post Graduate (Master degree) with 50% marks including B.Ed.

(c) Matter of promotion will be considered by a Departmental Promotion Committee (DPC) to be approved by the Director of Secondary Education.

(d) Promotion shall be made strictly according to seniority-cum-merit-cum ACR”

20. Admittedly, the respondents-State have published final seniority list of eligible teachers for consideration of promotion to the post of Assistant Headmaster vide memo dated 23.05.2023 [Annexure-1 to WP(C) 213 of 2024]. The relevant part of seniority position settled in the final seniority list is as under:-

S.N o	Name of Emplo yees with Design ation	P.Band /G.P./ Scale of Pay	Date of Birth	Date of Joining	Date of Superannua tion	Educational Qualification with year along with % of Marks in Hon's/ Master Degree (a copy of the mark sheet is to be enclose)	B/Ed./T.Ed. Etc (with result publication date)	Whet her SC/S T & Other s	Contact No.	Signat ure of the emplo yee concer ned
1.	Jiban Debnat h, PGT (TIC)	4600	30.11.196 9	13.06.1997	30.11.2029	B.Sc. (Hons) Physics (53.13% 1991), M.A. Edu, (52.60%, 2015)	B.Ed. (02 year) 04/07/2013	OBC	943652648 0	Sd/-
5.	Mrinal Das, PGT	4400	02.01.198 1	22.03.2006	31.01.2041	B.Sc. (Hons) Physics 49.67%, 2002, M.Sc. Mathematics (55.7%, 2004)	B.Ed. (01 year) 24/11.2005	SC	943651745 4	Sd/-
15.	Sanjit Biswas , PGT	4200	19.04.198 3	03.11.2008	30.04.2043	B.Sc. (Hons), 53.44%), 2004 M.S.c, Chemistry (54.20%) 2006	B.Ed. (01 year) 30.09.2008, Med. (06.03.2014)	UR	961242432 6	Sd/-

21. Sri Sanjit Biswas and Sri Mrinal Das have challenged the above seniority list in their respective writ petitions. The main plea taken by Sri Sanjit Biswas and Sri Mrinal Das while challenging the seniority of Sri Jiban Debnath is that they acquired/possessed Master Degree including B.Ed much prior to attainment of Master Degree and B.Ed degree of Sri Jiban Debnath. Mr. Bhattacharjee, learned senior counsel appearing on behalf of the petitioners in WP(C) 213 of 2024 and WP(C) 214 of 2024 admitted that Sri Jiban Debnath had entered into service in the year 1997, that is, much prior to the entry of service of Sanjit and Mrinal. Here, the question is whether acquisition of degree/requisite qualification would be the sole criteria for consideration of promotion to the post of Assistant Headmaster in terms of Clause II (b) of Rule 5 of Grant-in-Aid (Government Aided Schools) Rules, as amended up to date.

22. As I noted earlier, the said Clause II (b) consists of four parts. The first part says that promotion to the post of Assistant Headmaster/Assistant Headmistress will be made among the post of Postgraduate Teachers (PGT) of concerned GIA Schools. Admittedly, Sri Jiban Debnath, Sri Sanjit Biswas and Mrinal Das have been discharging their duties and responsibilities as Post Graduate Teacher in the same School under the respondent No.3. Now, as per second part of II (b), all of them have requisite experience of regular teaching for at least 7 years. Now, the most important question to be dealt with as I said earlier and strenuously argued by learned senior counsel appearing for Sri Sanjit Biswas and Sri Mrinal Das that the date of acquiring of Master Degree and B.Ed degree should be the criteria for determination of seniority as

stipulated in Clause II (b) of Rule 5 of the GIA Rules, 2005. Keeping in mind the Rules of statutory interpretation, there cannot be any quarrel that, primarily, the only duty of the court is to give effect of the literal meaning of language of the statute. To say it otherwise, words employed in the text of the statute are clear and plain and do not suffer from any ambiguity, then the court must give or interpret its natural and ordinary meaning. Rule 5 of GIA Rules, 2005 being a statutory rule, the golden rule of literal construction of statutes should be adopted by the court as indicated in Chapter 2 of Maxwell on the Interpretation of Statutes, 12th Edition.

23. At this juncture, I have gone through the decision of Supreme Court in the case of ***Madhavi(supra)***. In the case of ***Madhavi(Supra)***, I find that the promotion of teachers is governed by the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981 [for short, 'Maharashtra Rules, 1981']. Having perused the judgment passed in ***Madhavi(Supra)***, I find that Maharashtra Rules, 1981 have made provision for categorization of teachers according to the dates of acquisition of their degrees. In the instant case, Clause II (b) of Rule 5 of the GIA Rules, 2005 do not lay down any criteria for categorizing the teachers having regard to the date of obtaining the requisite qualifications for consideration of promotion of teachers to the post of Assistant Headmaster. In light of the above, the instant case is factually distinguishable from the case of ***Madhavi(Supra)***.

24. In the case on hand, as I said earlier, the requisite qualification for promotion to the post of Assistant Headmaster is explicit in Clause II (b) of Rule 5 of the GIA Rules, 2005. Under clause II (b), the only criteria

is that after obtaining the Master Degree and B.Ed degree the teachers must have the experience of at least 7(seven) years. The said essential qualifications are met by all the writ petitioners of the aforementioned writ petitions. Be that as it may, in my opinion, seniority will be counted on the basis of date of entry into the service. Admittedly, Sri Jiban Debnath entered into the service in the year 1997 and Sri Sanjit Biswas and Mrinal Das in 2008 and 2006 respectively.

25. Upon careful analysis of the above two points, it is hereby held that the findings and decisions of the DPC in its meeting held on 17.02.2024 are arbitrary and not legally sustainable. As such, the recommendation is liable to be quashed. Accordingly, the impugned decision of the DPC disentitling Sri Jiban Debnath [petitioner in WP(C) 145 of 2024] for promotion to the post of Assistant Headmaster is quashed and set aside.

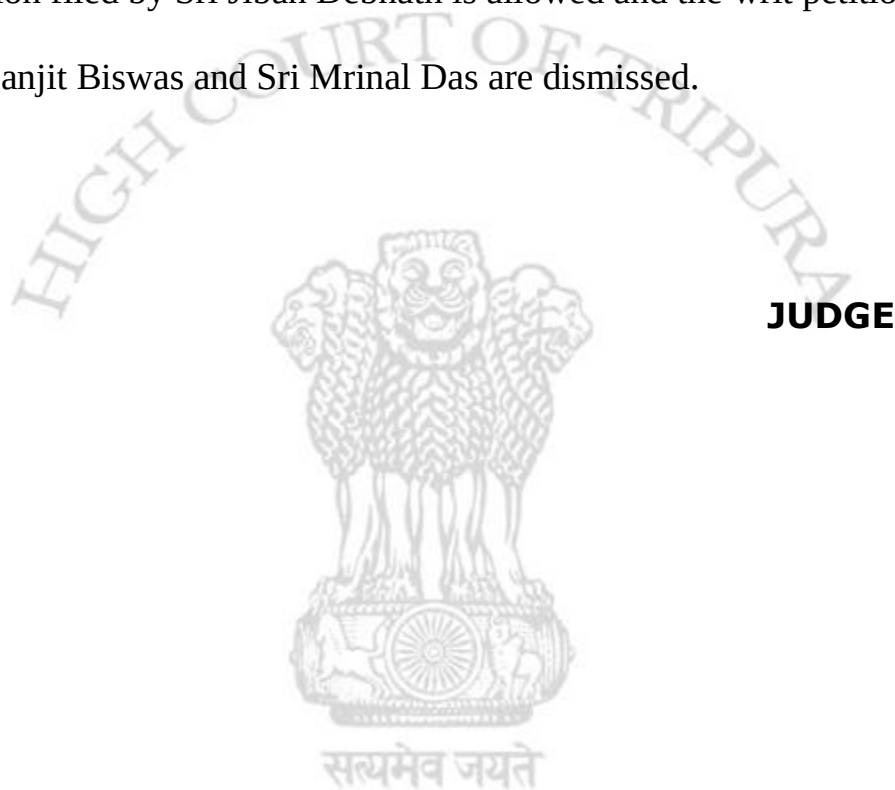
26. Further, Sri Jiban Debnath [petitioner in WP(C) 145 of 2024] is senior to Sri Sanjit Biswas and Sri Mrinal Das [petitioners in WP(C) 213 of 2024 and WP(C) 214 of 2024, respectively] as per their dates of entry into service.

27. Since both the questions are answered in favour of Sri Jiban Debnath [petitioner in WP(C) 145 of 2024], he is entitled to be considered for promotion to the post of Assistant Headmaster in Belonia Vidyapith H.S School(Grant-in-aid school) under the respondents.

28. The respondents are directed to constitute a Departmental Promotion Committee (DPC) afresh within a period of 30(thirty) days from the date of receipt of a copy of this judgment.

29. Further, the newly constituted DPC is directed to complete the proceeding within next 30(thirty) days for consideration of promotion of Jiban Debnath to the post of Assistant Headmaster in Belonia Vidyapith H.S School(Grant-in-aid school) keeping in mind the discussions and the directions passed by this court in the preceding paragraphs of the judgment.

30. In the light of above discussions and the reasons thereof, the petition filed by Sri Jiban Debnath is allowed and the writ petitions filed by Sri Sanjit Biswas and Sri Mrinal Das are dismissed.



Rohit
SAIKA
T KAR

Digitally signed
by SAIKAT KAR
Date: 2025.02.28
15:39:54 +05'30'