

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
ORIGINAL SIDE

WPO/408/2026

SONALI KUNDU  
VS  
THE STATE OF WEST BENGAL AND ORS.

BEFORE:  
THE HON'BLE JUSTICE AMRITA SINHA  
Date: 15<sup>th</sup> September, 2026.

*Appearance:*  
*Mr. Sakti Pada Jana, Adv.*  
*...for the Petitioner*

*Mr. Pulakesh Bajpayee, Adv.*  
*...for the State*

1. The petitioner is serving as a clerk in a DA getting school. She claims to be working in a sanctioned vacancy. Prayer has been made by the petitioner to direct the District Inspector of Schools (Secondary Education), Kolkata to approve her service.
2. In support of such submission, learned Advocate for the petitioner relies on the memo bearing No. 2330-GA/OM-8/95 dated 9<sup>th</sup> December, 2011 issued by the Director of School Education, West Bengal, School Education Directorate, Grants-in-Aid Section regarding the instruction in respect of recruitment in cases of Non-Teaching staff of all DA getting schools.
3. Learned Advocate for the petitioner also relies on the order passed by this Court on 31<sup>st</sup> March, 2014 in **W.P. 9640 (W) of 2012 (Abhijit Sharma Vs. The State of West Bengal & Ors.)** followed

by the Court in the order dated 12<sup>th</sup> August, 2026 in the matter of ***Krishna Tiwari vs. The State of West Bengal & Ors.***

4. Learned Advocate representing the State respondents submits that the District Inspector of Schools (Secondary Education) is yet to take a decision on the prayer of the petitioner regarding approval.
5. Upon hearing the submissions made on behalf of both the parties and on perusal of the documents annexed to the writ petition, it appears that the school where the petitioner is serving as a clerk has already approached the District Inspector of Schools seeking approval of the petitioner in the post of clerk. There is no response to the request made by the school till date.
6. In view of the above, the instant writ petition stand disposed of by directing the District Inspector of Schools (Secondary Education), Kolkata to take a decision on the prayer made by the school for approval of the petitioner as clerk strictly in accordance with law and in line with the memo dated 3<sup>rd</sup> November, 2011 and the order passed by the Court in the matter of Abhijit Sharma (supra) and Krishna Tiwari (supra).
7. An opportunity of hearing may be given to the representative(s) of the school and the petitioner prior to passing a final order in the matter. A reasoned order shall be passed and communicated to all the necessary parties. The decision shall be taken in the matter at the earliest, but positively within a period of eight weeks from the date of communication of this order.

8. If the prayer of the petitioner is allowed, then necessary consequential steps shall be taken by all the concerned respondents.
9. Learned Advocate for the petitioner is directed to forward a copy of all supporting documents to the District Inspector of Schools (Secondary Education), Kolkata at the time of communicating the order of this Court.
10. The writ petition stands disposed of.
11. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.
12. Certified server copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(AMRITA SINHA, J.)