

24-06.2019
Court No.3
Sh/01.

**CIRCUIT BENCH OF
CALCUTTA HIGH COURT
AT JALPAIGURI
WRIT APPELLATE JURISDICTION
APPELLATE SIDE**

W.P.A. 146 of 2019

Smt. Suchibrata Das(Mitra).... Petitioner.
Vs.
The State of W.B. & Ors. . . .Respondents.

Mr. Sunil Kumar Sarkar.
. . .For the Petitioner.
Mr. Hirak Barman,
Mr. Bikramaditya Ghosh,
. . .For the State.

Affidavit of service filed in Court today be kept with the record.

The petitioner claims to have been engaged as additional para-teacher in Lal Bahadur Shastri Hindi High School initially for a period of one year, which was extended from time to time. Since the petitioner was suffering from acute migraine and was under the treatment of doctors, she could not attend her duties for a considerable period of time.

The respondent no.9 by a letter directed the petitioner to submit a written explanation for unauthorized leave. In reply to the said letter the petitioner submitted her explanation. Thereafter the petitioner was transferred to the Ghogomali Girls High School on her prayer. The petitioner again could not attend the Said School as she was suffering from various diseases.

It is the grievance of the writ petitioner that after being declared medically fit she went to Ghogomali Girls High School to resume her duties but the authorities of Ghogomali Girls High School are not allowing the petitioner to join her duties.

As such, the petitioner by a letter dated March 5, 2019 requested the Additional District Magistrate(General), Jalpaiguri to take a decision with regard to the prayer of the petitioner to join the School. The petitioner complains that the said authority has not yet taken any decision with regard to the representation submitted by her.

Since the representation has been made to the Additional District Magistrate (General), Jalpaiguri and the learned advocate for the writ petitioner submits that at this stage he is praying for consideration of the representation made by the petitioner before the said authority, such prayer is an innocuous one.

The Additional District Magistrate (General), Jalpaiguri is directed to dispose of the representation of the petitioner dated 5th march, 2019 by passing a reasoned order after affording an opportunity of hearing to the writ petitioner as well as other interested parties including the authorities of Ghogomali Girls High School as expeditiously as possible and preferably within a period of four weeks from the date of communication of this order. The said authority shall communicate its reasoned decision to all the parties within one week thereafter.

Since the writ petition is disposed of without calling for affidavits, the allegations contained in the instant writ petition shall be deemed not to have been admitted by the respondents.

The instant writ petition is disposed of without any order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the learned advocates appearing for the parties expeditiously on compliance of all requisite formalities.

(HIRANMAY BHATTACHARYYA, J.)