

27-08-2019
Court No.2
Sh/39.

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

W.P.A. 268 OF 2019

Hima Lamu Bomzon. Petitioner.

Vs.

State of West Bengal & Ors. . Respondents.

Mr. Partha Pratim Sarkar,

Mr. Krishna Deo Das.

. . .For the Petitioner.

Mr. Subir Kumar Saha,

Mr. Bikramaditya Ghosh,

. . .For the State.

Mr. Ayanabha Raha.

. . .For the respondent No.5.

Mr. Malay Kumar Roy,

Mr. S. Basu.

. . For the respondent no.3

Affidavit-of-service filed in Court today be kept on record.

Despite service, only respondent nos.1, 3 and 5 are represented in Court today along with the petitioner.

The petitioner has made out a prima facie case that the petitioner may have an entitlement to appointment as assistant teacher in the respondent-School, for which a representation was given by the petitioner on February 23, 2017, which has not been considered till date.

Accordingly, WPA 268 of 2019 is disposed of by directing the respondent no.6 to consider and dispose of the representation made by the petitioner on February 23, 2017, which is annexure P-8 at page 37

of the instant writ petition, and to pass a reasoned order thereon after giving the petitioner a hearing on the same, and to communicate its decision to the petitioner, within a month from date.

It is made clear that the merits of the representation have not been gone into by this Court and the respondent no.6 would be at liberty to consider the representation in accordance with law without being influenced unduly by any of the observations made herein.

There will be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be made available to the learned advocates appearing for the parties upon compliance of due formalities.

(SABYASACHI BHATTACHARYYA,J)