

3 06.12.19
akb Ct. No. 2

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A. 917 of 2019
Mahendra Chettri & Ors.
-Versus-
The State of West Bengal & Ors.

Mr. Biswaroop Bhattacharya
Mr. Pritam Choudhury ...For the Petitioners

Mr. Ayanabha Raha
Ms. Supriya Singh ...For Respondent Nos. 2, 3 & 4

Mr. Debabrata Dhar
Ms. Paramita Sahu ...For State Respondents

This is an application under Article 226 of the Constitution of India wherein the writ petitioners are aggrieved by the inaction on part of the Gorkhaland Territorial Administration (GTA) with regard to non-granting of appointments as 'Headmaster/Headmistress'. The case of the petitioners is that the petitioners are teacher-in-charge in various Schools in the Darjeeling area and the District Inspector of Schools (S.E.), GTA, Darjeeling has also recommended their cases for appointment as Headmaster/Headmistress, vide Office Memo No. 1015/SE dated July 26, 2018.

Learned Counsel appearing on behalf of the respondent Nos. 2, 3 and 4 submits that the approval of the Principal Secretary to the GTA, being the respondent No. 2 is required to be taken. Subsequent to such approval, the appointments shall be made by the concerned District Inspector of Schools (S.E.), GTA, Darjeeling.

In the light of the above submissions, I direct the respondent No. 2 to consider the representations made by the petitioners keeping in mind the recommendation of the District inspector of Schools, GTA, Darjeeling by giving an

opportunity of hearing to the representative of the petitioners, and thereafter, pass a reasoned order within a period of four weeks from the date of communication of this order. In the event, the approval is granted by the respondent No. 2, the concerned District Inspector of Schools, GTA, Darjeeling should act in accordance with law.

Respondent No. 2 is further directed to communicate the reasoned order to the petitioners within a week from the date of passing the reasoned order.

With the aforesaid observation, the writ petition is disposed of.

Since, no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed to have not been admitted by the respondents.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Shekhar B. Saraf, J.)