

21.09.2020

Ct. No. 19

Item No.11

pk.

WPA No. 6773 (W) of 2020
+
IA CAN 1 of 2020 (CAN 5713 of 2020)

Dipak Kumar Jana
-vs-
The State of West Bengal & Ors.

Mr. Anil Kumar Chattopadhyaya for the petitioner

Mr. Supriyo Chattopadhyya, Sr. Advo.
Mr. Suman Dey for the State

The petitioner was serving as an Assistant Teacher of Dakshin Kasimnagar High School (H.S.). He was unable to attend his school from 26th June 2007 to 1st January 2009 as he was suffering from Pulmonary Tuberculosis with Spinal Tuberculoses. After he was given a fit certificate, he rejoined the school.

The petitioner applied before the school for sanctioning medical leaves. The petitioner alleges that his application praying for extraordinary leave is yet to be considered and decided by the authority.

The petitioner made a further representation on 31st July 2020 to the Commissioner of School Education with a copy forwarded to the District Inspector of Schools (SE), Tamluk. The petitioner alleges that the said representation has also not been considered.

As it appears that the prayer of the petitioner is awaiting consideration at the end of the respondent

authorities, no useful purpose will be served by keeping the writ petition pending.

The writ petition is accordingly disposed of by directing the Managing Committee of the Dakshin Kasimnagar High School (HS) being the respondent no. 5 herein to consider and dispose of the representations made by the petitioner praying for extraordinary leave on medical ground strictly in accordance with law within a period of ten weeks from the date of communication of a copy of this order. The said respondent shall pass a reasoned order and communicate the same to the petitioner within a week thereafter.

The writ petition being WPA No. 6773 (W) of 2020 along with the connected applications being IA CAN 1 of 2020 and CAN 5713 of 2020 are disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)