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28.07.
2021
Ct. No.17

WPA 19907 of 2019
(File not here)

Manas Halder
Vs
The State of West Bengal & Ors.

Mr. Lakshminath Bhattacharya
.....For the Petitioner
Mr. Bhaskar Prasad Vaisya
.....For the DPSC

The file has not been sent to this court and the matter is running in the list for quite some time.

I have told the department time again that a litigant has not committed any sin by coming to this court for redressal of his grievance. When the petitioner is present, some respondents are present, the Judge is present, the whole court room is full of staff, the whole department is working and huge amount of money is spent from the Government Exchequer for running the judiciary, just for non-supply of the file, this court cannot sit idle and wait till the file is sent to this court. We all have to keep in mind that a citizen of India is before the judiciary.

A copy of this order be sent to the Registrar General for taking care of the situation.

Now I am entering into the matter for adjudication on merit taking the help of a copy of the

petition from the petitioner.

The petitioner submitted that his wife committed suicide on 13.09.2018 and he was arrested by the police authority on 14.09.2018. Subsequently he was granted bail on 11.10.2018. He is a teacher of a primary school. No disciplinary proceeding has been initiated against him by the school but neither he is being allowed to join the school nor he is being paid the subsistence allowance even if it is assumed that he is under deemed suspension.

I direct the petitioner to serve a copy of this order upon the respondent no.4 and respondent no.5 and the respondent no.7 of the writ application within a period of seven days from date and I direct the Head teacher of the school being the respondent no.7 to file a report in the form of an affidavit of the present situation relating to the service of the petitioner.

This matter will appear in the list on 18th August, 2021 when I expect the report from the school.

(Abhijit Gangopadhyay, J.)

