

20.10.2020
Court No. 19
Item No.23 (DL)
CP

WPA 7403 of 2020
with
CAN 1 of 2020

Sankar Kumar Mandal & ors.
vs.
The State of West Bengal & ors.

(via video conference)

Mr. Siddhartha Roy.

.....for the petitioners.

Mr. Jishnu Choudhury,
Mrs. Amrita Panja Moulick.

...for the State.

The petitioners are untrained teachers who are serving under the West Bengal Board of Primary Education. It is the contention of the petitioners that in terms of the D.O. No. 17-2/2017-EE.17, dated August 3, 2017 and paragraph XV thereof, the petitioners enrolled themselves for D.El.Ed training and also upgradation of their H.S. percentage. It is the contention of the petitioners that although the petitioners have completed their D.El.Ed course, the certificate has not been granted to them by the appropriate authority. The petitioners draw the attention of the Court to the several representations to the Chairman/Secretary, DPSC, Malda, for issuance of the requisite certificate. According to the petitioners, the said authority is sitting tight over the

matter and because of the delay in issuing the certificate and No Objection Clearance, the petitioners are not being paid their rightful salary and the petitioners are treated as Group B teachers.

Under such circumstances, this writ petition is disposed of with a direction upon the petitioners to prefer a composite representation to the authority concerned for issuance of the necessary No Objection Clearance and certificate with regard to the D.El.Ed course which the petitioners alleged to have completed. Such composite representation should be made within a period of three weeks from date. Upon receipt of such representation, the authority concerned shall dispose of the same upon hearing the petitioners and all other concerned persons who are likely to be affected by the order.

A reasoned order should be passed and communicated to all concerned. The entire exercise should be completed within a period of six weeks from receipt of the composite representation of the petitioners. If it is found that the petitioners are otherwise eligible for grant of the said certificate, then the petitioners will be granted the same without further delay.

With the above observation, the writ petition is disposed of. Hence CAN 1 of 2020 is also disposed of. There shall be no order as to costs.

All parties are to act on a server copy of this order on usual undertakings.

(Shampa Sarkar, J.)