

Item No. 27

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

18.9.2020
Ct-13

W.P.A. 6577 of 2020
Falmita Sunam & Ors.
v.
The G.T.A. & Ors.
with
IA No. CAN/1/2020
(Old No. 5368/2020)

Mr. Biswaroop Bhattacharya
Mr. Pritam Choudhury
... for the petitioners.

Mr. Rajdeep Majumdar
Mr. Moyukh Mukherjee
... for the respondents.

Petitioners undertake to affirm and stamp the petition/application as per Rules within 48 hours of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference. Court fees shall be paid in respect of three petitioners.

The petitioners were engaged in the post of Lecturers in the Kalimpong Government P.T.T.I., Kalimpong. Letter of engagement was issued in favour of the petitioner nos. 1 & 2 in April 2002 and in favour of the petitioner no. 4 in August 2004. The petitioners took charge and joined duty soon thereafter.

The grievance of the petitioners is that their services have not been approved by the competent authority till date.

The petitioners rely upon orders of consideration passed by Co-ordinate Benches of this Court in similar matters, where directions have been passed for consideration of the prayer of the petitioners for approval of their service.

In this case, the petitioners, however, have not made any prayer before the respondent authority for consideration of their case for approval of their services.

Since similar orders have been passed in identical matters, leave is granted to the petitioners to file a comprehensive representation highlighting their grievances. In

the event, such a representation is made within a period of four weeks the respondent authority that is the Secretary, Gorkhaland Territorial Administration shall take a decision with regard to the said representation, in accordance with law within a period of four months 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 petitioners within a month thereafter.

It is made clear that the court has not gone into the merits of this case and all points are left open to be decided by the aforesaid respondent strictly in accordance with law.

The writ petition being W.P.A/6577/2020 and IA No. CAN/1/2020(Old No. 5368/2020) stand disposed of.

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

Urgent xerox certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

Sh

(**Amrita Sinha, J.**)