

W.P.A. 4595 OF 2021

(Through Video Conference)

Netai Charan Ghosal

Vs.

The State of West Bengal & Ors.

Mr. Mokaram Hossain

Mr. Kamakshya Prasad Mukhopadhyay

Mr. Sandipan Maity.

..... For the petitioner

Ms. Chaitali Bhattacharya

Mr. Subhendu RoyChoudhury.

.... For the State

Ms. Koyeli Bhattacharyya

..... For the Board

Md. Yasin Ali

Ms. Tapati Samanta.

..... For the Respondents
No. 6 & 7.

1. Affidavit-of-service, filed in Court, be kept with the record.

2. This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the inaction on the part of the respondent authorities in considering his representation dated November 23, 2020.

3. Upon hearing the parties I direct the concerned authority of the Board of Secondary Education to consider the representation of the petitioner after granting an opportunity of hearing to him and thereafter pass a reasoned order within a period of four weeks from date. The reasoned order should be communicated to the petitioner within a week of passing of the same.

4. I make it clear that in the event the representation is not considered within the aforesaid period, the petitioner shall be allowed to resume his duties.

5. With the above direction, the writ petition is disposed of. There will be no order as to costs.

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

7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Shekhar B. Saraf, J.)