

31.08.2021

BP
Sl. 33
Court No. 17.

WPA 6845 of 2012

(Via Video Conference)

Smt. Nirata Mukherjee(Roy)
Vs.
State of West Bengal & Ors.

Mr. Tulsidas Roy
Mr. Tirthankar Roy
..for the petitioner.

Mr. Partha Sarathi Deb Barman
Mr. Amit Gupta
Mr. Nazar Chowdhury
..for the respondent no.6.

Mr. Bijoy Kumar Show
Mr. Tanmoy Basu
Mr. Arun Show
..for the respondent no.7 & 8.

The matter relates to not sending of last pay certificate and service book etc. of the petitioner to the transferred school.

From the pleading and the submission it appears that the petitioner was initially appointed in Katsihi High School and then she again participated in the School Service Commission Recruitment Process and thereafter got appointment in Deshbandhu Vidyalaya but her papers from Katsihi High School sent to Deshbandhu Vidyalaya were without any counter-signature by the concerned District Inspector of Schools. The original service book and the last pay certificate are now in the

custody of Deshbandhu Vidyalaya.

Mr. Partha Sarathi Deb Barman, learned advocate for the respondent no.6 submits that his client will send the service book in original to Katsihi High School. He further submits that the original last pay certificate has already been sent to the said school.

I direct the Headmaster and the Secretary of Katsihi High School to take immediate steps so that the original service book and the last pay certificate be counter-signed by the concerned District Inspector of Schools after receiving the same. The District Inspector of Schools (SE), Burdwan is directed to send the original counter-signed service book and the last pay certificate of the petitioner to the District Inspector of Schools (SE), Kolkata expeditiously thereafter.

I also direct the District Inspector of School (SE) Kolkata being the respondent no.4, to countersign the service book and the last pay certificate and to send it again to the Deshbandhu Vidyalaya so that Deshbandhu Vidyalaya can send it to the school where the petitioner is presently working as a Headmistress namely, Irhpala B.K. High School, Ghatal. The entire exercise is to be completed within a period of six weeks from the date of communication of this order to the concerned District Inspector of Schools.

Pursuant to the direction given by this court on the last occasion, the respondent nos. 5, 6 7 and 8 are present in court today.

The respondent nos. 5 and 6 are the same persons because of the present rule and the respondent nos. 7 and 8 are the same persons because of the same rule i.e. the Headmasters of schools are the Secretaries of the Managing Committees of the schools.

This court is extremely unhappy for the reason that despite direction of this court upon the respondent nos. 5, 6, 7 and 8, they did not appear in court and the reason shown today is that as they are Government aided schools they never thought that they should appear. This is a very sad state of affairs as the responsible persons who are teachers do not know the importance of the court's order. However, I am not passing any adverse order against them though it is required to be passed because it is a matter of shame that such educated citizens of this country do not understand what is the importance of the court's order.

With the above observation as aforesaid, this writ application is disposed of.

(Abhijit Gangopadhyay, J.)

