

25 11.01.2021
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W.P.A. 17423 OF 2019

(Through Video Conference)

Debasis Gorai

Vs.

West Bengal Central School Service
Commission & Ors.

Mr. Kamalesh Bhattacharjee
Mr. Asish Dutta.

... For the Petitioner

Mr. Bhaskar Prasad Vaisya
Mr. Sagnik Chatterjee.

....For the State.

Dr. Sutanu Kumar Patra

... For the SSC.

1. This is an application under Article 226 of the Constitution of India wherein the petitioner is aggrieved by the inaction on the part of the respondents authorities in considering the representation made for the purpose of change of his placement to a nearby school.
2. Mr. Kamalesh Bhattacharjee, learned counsel appearing on behalf of the petitioner submits that similar cases have been considered for other persons.
3. I have heard counsel appearing on behalf of both the parties.
4. In light of the above, the Secretary, West Bengal Central School Service Commission is directed to grant an opportunity of hearing to the petitioner within four weeks from date of communication of this order and pass a

reasoned order on the representation made by the petitioner (Annexure P₉ at page 58 of the writ petition) within a week thereafter.

5. If the petitioner's prayer deserves acceptance, follow up steps shall be taken without undue delay in accordance with law; on the contrary, if the petitioner's prayer is not found to be acceptable, a reasoned order shall be passed and communicated to him.

6. With the above observation, the writ petition is disposed of. There shall be no order as to costs.

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

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.)