

04.01.2021

Item No.07
Court No.25
Avijit Mitra

W.P.A. No. 8681 of 2020 (Via Video Conference)

**In re: Shamsad Alam
- Versus -
State of West Bengal & Ors.**

Mr. Ekramul Bari,
Ms. Tanuja Basak,
Mr. S.S. Mondal

For the Petitioner

Mr. Supriyo Chattopadhyay,
Mr. Gourav Das

For the State respondents

The grievance of the petitioner is that the approval of the panel prepared for the post of Assistant Headmaster in Narayanpur High School (H.S.) (in short, the said school) has been unnecessarily delayed.

Mr. Bari, learned advocate appearing for the petitioner submits that prior permission to fill up the post of Assistant Headmaster in the said school was granted by the respondent no.4 *vide* memo dated 27th November, 2019. The petitioner participated in the selection process for appointment to the said post. Upon preparation of the panel, the same was forwarded to the respondent no.4 by the respondent no.5 *vide* memo dated 7th January, 2020. Thereafter, by a memo dated 11th February, 2020, the respondent no.4 requested the respondent no.5 to resubmit the panel papers as the panel file previously submitted had been misplaced. Responding thereto, the respondent no.5 *vide* memo dated 15th February, 2020 again submitted all necessary

documents pertaining to the panel to the respondent no.4, who in turn forwarded all necessary documents to the respondent no.2 *vide* memo dated 20th February, 2020. Even thereafter the issue of approval has not yet been finalised. Aggrieved thereby, the petitioner has approached this Court.

Mr. Das, learned advocate enters appearance on behalf of the State respondents.

In response to an application under the Right to Information Act, the petitioner has been informed that he had secured first position in the panel. Such fact would be explicit from the letter dated 14th February, 2020 issued by the respondent no. 5.

No explanation is forthcoming as to why the Directorate of School Education has not forwarded the panel papers for necessary approval of the School Education Department, as required in terms of the Government Order dated 6th August, 2018.

In view thereof, this Court directs the respondent no.2 to examine and forward the panel papers to the competent authority of the School Education Department in terms of the Government Order dated 6th August, 2018, within a period of two weeks from the date of communication of this order.

Upon receipt of the said documents from the respondent no.2, the competent authority of the School Education Department shall take a decision towards approval of the concerned panel for the post of Assistant Headmaster in the said school, in accordance with law

and intimate such decision to the petitioner and the school authorities within a period of four weeks.

Needless to observe in the event the concerned panel is approved necessary follow up steps shall be taken by the school authorities forthwith.

With the above observations and directions, the writ petition is disposed of.

There shall however be no order as to costs.

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

(Tapabrata Chakraborty, J.)