

08-03-2021
Item no.54
Subrata

IN THE HIGH COURT AT CALCUTTA
Constitutional writ Jurisdiction
Appellate Side

WPA No.9982 of 2020
Rita Gayen
-vs-
The State of West Bengal & Ors.

Mr. Ekramul Bari
Ms. Tanuja Basak ...for the petitioner

Ms. Chaitali Bhattacharya
Mr. Mrinal Kanti Ghosh ...for the State

Mr. Sanjay Kumar Baid ...for respondents no.6-7

Heard learned advocates appearing for the parties.

In this writ petition, the petitioner has challenged the impugned communication dated September 7, 2017 (Annexure P3, page 33 of the writ) issued by the Secretary of the school concerned by which it has been communicated that her post is not approved by the District Inspector of Schools (P), and that the school authorities are not in a position to assure approval of the petitioner's appointment.

Assailing the aforesaid communication, the petitioner has approached this court on December 1, 2020 – after more than two-and-a-half years; and she has even not made any representation alleging the impugned communication. Even after the impugned communication, the petitioner was allowed to continue in such post for some time.

Considering the submission, the writ petition is disposed of by granting liberty to the petitioner to make a representation before the third respondent – District

Inspector of Schools, South 24 Parganas – against the impugned communication dated September 7, 2017 for redressal of her grievance.

If such representation is made by the petitioner within four weeks from date, the respondent concerned shall consider and dispose of the same strictly in accordance with law by passing a reasoned and speaking order, after giving an opportunity of hearing to the petitioner, within eight weeks from the date of making such representation. The decision once given shall be communicated to the petitioner within two weeks thereafter.

WPA No.9982 of 2020 is accordingly disposed of. No order as to costs.

[Md. Nizamuddin, J]