

W. P.A. No.10556 of 2020
Dhosa-Chandaneswar N.C. High School (HS) & Anr.
v.
The State of West Bengal & Ors.

08.01.2021 Sl.-15 Ct.25 (S.R.)	Mr. Mukteswar Maity Mr. Supriyo Chattopadhyay Mr. Suman Dey	... for the petitioners. ... for the State.
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Mr. Maity, learned advocate appearing for the petitioners submits that Dhosa-Chandaneswar N.C. High School (HS) (in short, the said school) has a roll strength of about three thousand students and it is suffering from dearth of non-teaching staff. For filling up three posts of non-teaching staff, prior permission memoranda were issued on 18th June, 2018 and 4th August 2018 by the respondent no.4. The selection process was conducted and panels were prepared and forwarded to the respondent no.4 on 13th April, 2009. In spite of repeated reminders, no steps were taken by the respondent no.4 for a long period. Thereafter, the respondent no.4 issued a memo dated 29th August, 2019 intimating the school authorities that a preliminary enquiry would be conducted on 30th September, 2019. The enquiry team visited the said school on the scheduled date and conducted an enquiry. However, no copy of the enquiry report was forwarded to the school authorities and no decision was communicated by the respondent no.4 inspite of repeated representations. Aggrieved thereby, the petitioners have approached this Court.

By an order dated 15th December, 2020, this Court

directed Mr. Chattopadhyay, learned advocate appearing for the State respondents to avail necessary instruction. Today, Mr. Chattopadhyay submits, upon instructions, that an enquiry was conducted on 30th September, 2019, in compliance with the direction of the respondent no.4 and a report was prepared on 26th September, 2019. A copy of the said enquiry report has been handed over to Mr. Maity in Court today.

In view thereof and as no final decision has been taken by the respondent no.4, the writ petition is disposed of directing the respondent no.4 to take a final decision pertaining to the petitioners' claim, in accordance with law, upon considering the enquiry report and upon granting an opportunity of hearing to the petitioner no.2 and to communicate the said decision to the petitioners.

The above exercise shall be completed by the respondent no.4 within a period of four weeks from the date of communication of this order along with a copy of the writ petition.

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

There shall be no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

(Tapabrata Chakraborty, J.)