

20.01.2021.

A.K.
97

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

WPA 73 of 2021

**Donald Chettri & Ors.
-versus
The Gorkhaland Territorial Administration & Ors.**

**Mr. Pritam Choudhury
...For the Petitioner.**

**Mr. Subir Kumar Saha
Mr. Momenur Rahman
...For the State.**

All 3 writ petitioners are presently serving as voluntary assistant teachers in their respective upgraded secondary schools in Darjeeling and Kalimpong District under the Gorkhaland Territorial Administration (GTA). The prayer in the writ petition is for a direction on the concerned respondents for approval of appointments of the writ petitioners who are volunteer assistant teachers of recognized secondary/junior high schools to permanent assistant teachers in their respective schools which are under the jurisdiction of the District Inspector of schools (secondary education) within the Gorkhaland Territorial Administration.

Learned counsel for the petitioners hands up a copy of the proceedings of a meeting of the GTA held on 2nd February, 2016 which under resolution no. 6

records that the regularization of the services of 515 volunteer teachers should be regularized and further that all Sabhasads supported the said move.

Counsel places an order passed by a coordinate Bench on 27th February, 2020 in WPA 450 of 2020 (*Mani Kumar Pradhan & Ors. Vs. The Gorkhaland Territorial Administration*) and the said order also mentions the meeting of the GTA held on 2nd February, 2016 by which the principal Secretary, GTA was directed to take a decision on the prayer of the petitioners in that case for regularization of their services within a specific time frame. The affidavit-of-service shows that the respondent was served on 19th January, 2021. It is submitted that there had been an initial service at the time of filing of the writ petition namely in August 2020.

On hearing learned counsel appearing for the petitioners and on perusing the relevant resolution in the minutes of the GTA held on 2nd February, 2016, this court is of the view that the respondent no.3 being the District Inspector of Schools, secondary education, GTA may be directed to consider the prayer of the petitioners for regularization of their service within a period of ten weeks from date of communication of this order. The said respondent shall pass a reasoned order upon hearing all relevant parties including the petitioners and communicate the reasoned order to the

petitioners within a fortnight thereafter. The petitioners will be at liberty to be represented through their authorized representatives.

WPA 67 of 2021 is disposed of in the basis of the above directions.

Urgent certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Moushumi Bhattacharya, J.)