

S/L. 53.
29.09.2021
pk

Calcutta High Court
In The Circuit Bench At Jalpaiguri
Appellate Jurisdiction
(Via Video Conference)

WPA 1284 of 2021

Bikash Das
-Vs.-
The State of West Bengal and others

Mr. Sakti Pada Jana,
Mr. Debojit Kundu
... for the petitioner

Mr. Subir Kumar Saha,
Mr. Momenur Rahman
... for the State.

The writ petitioner enrolled in the Ph.D. course in the IIT Guwahati in January, 2018. The writ petitioner, thereafter, joined service as primary teacher on 19.02.2021.

The petitioner applied on 12.04.2021 for change of his course mode from full time to part time to enable him to complete his Ph.D. course. The said IIT Guwahati required a 'no objection certificate' from the Chairman of the District Primary School Council for the aforesaid purpose. The petitioner addressed a notice to the Chairman, District Primary School Council through his advocate on 10th

September, 2021 which has not been replied till date.

In that view of the matter, the respondent no. 4/the Chairman, District Primary School Council, Alipurduar shall within seven days of receipt of a copy of this order take a suitable decision as regards issuing 'no objection certificate' to the petitioner for conversion of his Ph. D. course from full time to part time and for completion of such post.

The Chairman, District Primary School Council, Alipurduar shall also carefully verify the records of the petitioner as to whether there is any impropriety in the petitioner's appointment as an assistant teacher since he was undergoing a full time Ph. D. course as on the date of joining of service as an assistant teacher i.e.19.02.2021.

With the aforesaid observations, the writ petition is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)