

Item No.69

25.01.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

WPA 420 of 2022
Amartyadyuti Banerjee

v.

The State of West Bengal & Ors.

Mr. Satyajit Mandal

Mr. Amar Nath Sen

Mr. Malay Dhar

Mr. Ratul Ghosh

... for the petitioner.

Mr. Bhaskar Prosad Vaisya

Mr. S. Chatterjee

... for the State.

Mr. Gourav Das

... for Council.

Petitioner seeks compassionate appointment.

The Chairman, South 24 Parganas District Primary School Council by an order dated February 27, 2019 considered the case of the petitioner and held that the name of the petitioner can be forwarded to the District Inspector of Schools (S.E.), South 24 Parganas for appointment of Group-C staff of any Secondary/Higher Secondary School. The appointment section of the office of the Council was directed to forward the case of the petitioner along with all necessary documents available in the office before the District Inspector of Schools (S.E.), South 24 Parganas for consideration of the case of the petitioner under memo

dated July 6, 2015 for necessary action in accordance with law.

The Chairman of the Council accordingly forwarded all the documents of the petitioner to the District Inspector of Schools (S.E.), South 24 Parganas on April 2, 2019.

The grievance of the petitioner is that thereafter no steps were taken by the District Inspector of Schools in the matter.

The petitioner made representation before the District Inspector of Schools (S.E.), South 24 Parganas on August 14, 2021 and alleges that the same has not been considered till date.

It appears from the submissions made on behalf of both the parties and the documents available on record that the case of the petitioner was duly considered by the Chairman of the Council and forwarded to the District Inspector of Schools (S.E.) for taking necessary action in the matter. It is the incumbent duty of the District Inspector of Schools to take a decision after relying upon the documents which were forwarded by the office of the District Primary School Council.

In view of the above, the District Inspector of Schools (S.E.), South 24 Parganas is directed to take a decision upon consideration of all the relevant documents forwarded by the District Primary School

Council, South 24 Parganas in accordance with law, at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order. If the District Inspector of Schools is of the opinion that the petitioner's case is to be considered favourably, then he will take all consequential steps in the matter in accordance with law. The District Inspector of Schools is directed to communicate the reasoned order to the petitioner immediately thereafter.

The petitioner is directed to forward a copy of the order dated February 27, 2019 and the communication of the South 24 Parganas District Primary School Council dated April 2, 2019 to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)