

WPA 1547 of 2022

Sanjib Mondal
Vs.
The State of West Bengal & Ors.

Mr. Anjan Bhattacharya.
... for the petitioner

Mr. Suman Dey.
... for the State

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey.
... for the SCC

Ms. Koyeli Bhattacharya.
... for the Board

The petitioner is roaming in the street from 2018. The petitioner was recommended in Lalganj LGUA High School in the district of Uttar Dinajpur and he went there to join the school as soon as he got the appointment letter. The Headmaster of Lalganj LGUA High School intimated him that there was no Science stream in HS in the school. As a result, the petitioner made a representation to the District Inspector of Schools (SE) on 6th September, 2018 but nothing happened thereafter except one good news that one post of Physical Science in Normal Section was converted to HS Section through vide G.O. No. 737-SE/S/IS-02/17(Pt.IX) dated 10th November, 2020 and

the roster point is 40. This was intimated by the District Inspector of Schools through the Headmaster of Patiram High School in the district of Dakshin Dinajpur.

On the last occasion, I directed the School Service Commission to actively consider whether the petitioner can be recommended in the school namely Patiram High School, when there is a vacancy in HS Section for post graduate candidates but the Commission has not given any instruction to their learned Advocate.

The District Inspector of Schools also intimated the same thing i.e, vacancy in Patiram High School in Dakshin Dinajpur to the Chairman of the School Service Commission by his letter dated 14th January, 2021 (vide page 28).

Therefore, for the casual approach of the School Service Commission with which they are sitting from January, 2021 and also with which they are sitting from the date of the order passed in this matter by this Court on 15th March, 2022 I direct the Chairman and also the Secretary of the West Bengal Central School Service Commission to recommend by three days from the date of

communication of the order to recommend the petitioner in the post in Patiram High School in the district of Dakshin Dinajpur and the recommendation issued to the petitioner in Lalganj LGUA High School (HS) is to be withdrawn as soon as the new recommendation would be given to the petitioner.

I direct the School Service Commission to send the recommendation to the West Bengal Board of Secondary Education by three days from the date of recommendation and the West Bengal Board of Secondary Education is directed to issue the appointment letter to the petitioner by three days thereafter.

The respondent nos. 8, 9 and 10 being Patiram High School, its Headmaster and the Managing Committee respectively, are directed to allow the petitioner to join the said school as soon as he will approach the school with appointment letter and till the petitioner joins or till he refuses joining by explicit communication in writing the said post cannot be filled up by any of the authorities and the school.

With the above observation and direction, the writ application is disposed of.

(Abhijit Gangopadhyay, J.)