

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 2564 of 2022

**Gouri Acharya (Sil) & Anr.
-versus
The State of West Bengal & Ors.**

**Mr. Kaustav Ch. Das
...For the Petitioners.**

**Mr. Susovan Sengupta,
Mr. Subir Pal
...For the State.**

**Mr. Uttam Kr. Bhattacharya
...For the Respondent No. 6
Md. Sarwar Jahan,
Ms Mousumi Mitra
...For the Respondent No. 3**

The petitioners were serving as Sahayikas in Baruipur (Purba) Shishu Shiksha Kendra. The said Institution closed and the petitioners were left jobless. Their honourarium were also stopped.

Lately by a letter dated 27th February, 2020, the Executive Officer, Patashpur-I, Panchayat Samity has forwarded a communication to the District Nodal Officer, SSK & MSK Cell, Purba Medinipur, Zilla Parishad with a request to place the petitioners in some other SSK for better service. The Siksha, Sanskriti, Tathya-O-Krira Sthayee Samitee of Patashpur-I Panchayet Samitee in their meeting held on 13th February, 2020 adopted a resolution that the

Sahayikas may be placed in another SSK having nil or one Sahayika.

The grievance of the petitioners is that even though their prayer has been forwarded by the Executive Officer of the Panchayat Samity to the District Nodal Officer of the SSK & MSK Cell, Zilla Parishad, no steps have been taken by the District Nodal Officer pursuant to the said communication.

It has been submitted by the respondent authority that the education department is the appropriate authority to take a decision in the matter.

It appears that a request has already been forwarded by the Executive Officer of the Panchayat Samity for placing the petitioners in a separate SSK and the said recommendation is pending till date.

Accordingly, the present writ petition is disposed of by directing the Principal Secretary, Department of School Education (Elementary Branch) being the respondent no. 2 herein to take a decision with regard to the recommendation forwarded by the Executive Officer to the District Nodal Officer, SSK & MSK Cell, Purba Medinipur Zilla Parishad on 27th February, 2020 at the earliest, but positively within 8 weeks from the date of communication of this order. Respondent no. 2 shall pass a reasoned order and communicate the same to the petitioners immediately thereafter.

Learned advocate for the petitioners is directed to forward a copy of the memo no.120 dated 27th February, 2020 to the respondent no. 2 at the time of communicating the order of the Court.

Affidavit of service filed in Court today be kept with the record.

WPA 2564 of 2022 is disposed of.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)