

07.04.2022
Sl. No.4
GB

W.P.A. No.5714 of 2022

Smt. Tumpa Barui @ Tumpa Das

Vs.

The State of West Bengal & Ors.

Mr. Partha Sarkar,

Mr. Abhijit Basu

... for the Petitioner.

Ms. Shraboni Sarkar.

... for the State.

This writ petition has been filed by the petitioner, who happened to be a Siksha Sahayika and stated to have worked for nearly 12 years.

On April 30, 2014 the Director of Local Bodies issued a memorandum signed by him refusing to continue her services on the ground that she was underaged.

Admittedly she worked for many years and it transpires that similarly circumstanced persons approached this Court and the Director was directed to consider their cases afresh.

The petitioner should be treated with equality so far as similarly circumstanced persons are concerned and the authority shall take into account the aforesaid aspect of considering her case upon her attaining majority. It is submitted that the petitioner is still working. The petitioner

upon attaining age of 40 years shall make a detailed representation before the Director of Local Bodies.

The Director of Local Bodies is directed to reconsider the case of the petitioner afresh in the light of the observations recorded hereinabove within one month from the date of the communication of this order and shall communicate his decision forthwith to the petitioner. The consideration will be in accordance with law and this court has not decided the merits of the claim of the petitioner.

The writ petition is thus disposed of.

Since the writ petition is disposed of without calling for affidavits, the allegations contained in the instant writ petition shall not be deemed to have been admitted by the respondents.

There will be no order as to costs.

This order is being passed pursuant to several orders which have already been passed by the respective co-ordinate Benches of this Court with similar causes of action in respect of similarly situated persons.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)