

01-12-2022
Item No.2
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Constitutional writ Jurisdiction
Appellate Side

WPA No.5999 of 2020
Bangiya Sanskrit Sikshak Samity
-vs-
State of West Bengal & Ors.
with
CAN No.1 of 2020
(Old CAN No.4180 of 2020)

Mr. Sabyasachi Mukherjee
Mr. Bibek Dey
Ms. Debarati Choudhury
Mr. Mukesh Khanna ...for the petitioner

Mr. Biswabrata Basu Mallick ...for the State

The petitioner in this writ petition seeks, inter alia,
the following reliefs:-

“a) A Writ in the nature of Mandamus commanding the Respondent Authorities, their men, agents, subordinates and each one of them particularly the Secretary, Bangiya Sanskrit Siksha Parishad, Respondent No.6 herein to forthwith set-aside, quash, cancel, rescind, revoke and/or withdraw the impugned Memo No.171 dated 16th December, 2019 being Annexure-“P-13” to this Writ Petition and to complete the entire exercise within a specified period of time;

b) A Writ in the nature of Mandamus commanding the Respondent Authorities, their men, agents, subordinates and each one of them particularly the Secretary, Bangiya Sanskrit Siksha Parishad, Respondent No.6 herein to forthwith take into consideration and include in the Final Lists the names of 38 Tols in the District of Purba Midnapore which are registered under the Petitioner Registered Society and the Adhyapaks/Adhyapikas working under the same till date and thereafter take steps to grant recognition to the said 38 Tols and appoint the said Adhyapaks/Adhyapikas working therein till date as against sanctioned vacant post and thereafter approve the same by taking into consideration the Representation dated 13th November, 2019 made by the Petitioner Registered Society being Annexure-“P-12” to this Writ Petition and to complete the entire exercise within a specified period of time.”

Having heard learned counsels appearing for the parties and on consideration of the materials on record, I find that the petitioner’s two representations both dated

November 7, 2019 – one (Annexure P12, p.61) addressed to the Commissioner of School Education, West Bengal; and the another (Annexure P12, p.63) addressed to the Secretary, Bangiya Sanskrit Siksha Parishad – seeking reliefs as prayed for in the writ petition have not yet been considered and disposed of by the authorities concerned.

I feel that if the concerned authority is directed to consider and dispose of the aforesaid two representations by a reasoned order, it would be conducive to the interest of justice.

Accordingly, the third respondent – the Commissioner of School Education, Government of West Bengal, Primary Branch – is directed to consider and dispose of the petitioner's two representations both dated November 7, 2019 and give a reasoned order, after giving an opportunity of hearing to all the interested persons, within eight weeks from the date of communication of this order. The order once made shall be communicated to the petitioner within a week thereafter.

With the directions as above, WPA No.5999 of 2020 stands disposed of. Consequently, CAN No.1 of 2020 (Old CAN No.4180 of 2020) also stands disposed of. No order as to costs.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Rabindranath Samanta, J]

