

29.08.2022.  
Court No.13  
Item No. 22  
ap

**W.P.A. No. 10425 of 2021**

**Sukla Panja (Rajak)**

**Versus**

**The State of West Bengal & Ors.**

Mr. Amal Baran Chatterjee,  
Mr. Rafiqul Islam,  
Ms. Monika Sarkar.

...For the petitioner.

Mr. Bhaskar Prasad Vaisya,  
Mr. Mrinal Kanti Ghosh.

..For the State.

Affidavit-of-service filed in Court today be taken  
on record.

The petitioner absented from her School,  
namely, Ghoshpur S. N. High School, from the year  
2012.

It is submitted that the petitioner was under  
medical treatment for nervous disorder. The petitioner  
now prays for regularisation of her service and  
transfer to another appropriate School.

Counsel for the State submits that the  
petitioner's salary and emoluments were released upto  
March, 2013. He further submits that the petitioner  
did not join the said School despite repeated requests.  
He also submits that since the petitioner is absent for  
more than five years, the District Inspector of Schools  
(SE), Paschim Medinipur cannot regularise her leave.

In the aforesaid circumstances, this Court

directs the West Bengal Board of Secondary Education, the leave sanctioning authority, to decide on the five years absence of the petitioner from 22<sup>nd</sup> December, 2012.

The petitioner may make a suitable representation to the West Bengal Board of Secondary Education explaining her absence.

The Board shall take appropriate decision on the absence of the petitioner and shall also consider instituting of any proceeding as it may empowered in law against the petitioner.

The Board may take any other decision as it may deem fit and proper and in the facts and circumstances within its scope and authority.

Let a decision be taken by the Board within a period of two months from the date of receipt of a representation to the petitioner and communicate the same to the petitioner within seven days thereof.

The instructions of the District Inspector of Schools (SE), Paschim Medinipur addressed to the State Advocate dated 26<sup>th</sup> July, 2022 is kept with the record.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

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

***(Rajasekhar Mantha, J.)***