

Court No. 22
10.11.2022
(Item No. ML-37)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 9883 of 2022

Aparna Das
VS
The State of West Bengal & Ors.

Mr. Anjan Bhattacharya
..... for the petitioner

Affidavit of service filed in Court, is taken on record.

None appears for the respondents nor any accommodation has been sought for.

The petitioner claims to be a **Teacher** at **Begampur Girls' High School, District – Hooghly**. She joined the School in 2006. On May, 21, 2019 she applied for a Provident Fund loan being part of **Annexure P-2** to the writ petition at **page 21** thereof.

The grievance of the petitioner is that, the Headmistress who is the deciding authority has not considered the same.

In view of the above, the respondent No. 6 is directed to consider the said representation of the petitioner dated May 21, 2019 at **page 21** to the writ petition upon giving at least seven days prior hearing notice to the petitioner and after hearing the petitioner shall pass its reasoned decision/order on the issue.

The entire exercise as directed above, shall be carried out and completed by the respondent No. 6 positively within a period of four weeks from the date

of communication of this order and then the respondent No. 6 shall communicate her reasoned decision/order to the petitioner within a further period of two weeks from the date of the said reasoned order to be passed.

In the event, the reasoned order goes in favour of the petitioner then the respondent Nos. 6 shall take all consequential and necessary steps to do the needful on the issue.

It is made clear that, this Court has not gone into the merit of the claim of the writ petitioner in any manner. All points are kept open for the petitioner to urge before the respondent No. 6. The petitioner will be at liberty to rely upon whatever documents and record it wishes to rely upon.

Since affidavits are not called for the allegations made in the writ petition are deemed not to have been admitted by the respondents.

It is further made clear that this order shall not create any equity in favour of the petitioner in the event the petitioner is otherwise is not entitled to receive the claim as made by her strictly in accordance with law.

On the above terms, this writ petition being **WPA 9883 of 2022** stands disposed of.

There shall, however, be no order as to costs.

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

(Aniruddha Roy, J.)