

14.7.2022
Court No. 19
Item no.4
sn

WPA No. 14851 of 2022

Mousumi Sengupta

Vs.

The State of West Bengal & ors.

Mr. Ajay Debnath

Mr. Sujit Saha

Mr. D. Dasfor the petitioner

Mr. S.P. Lahiri ..for the State

Despite service, none appears on behalf of the respondent nos. 5&6. Let the affidavit-of-service be taken on record.

There are apparent contradictions in the stand taken by the petitioner with regard to her availability in the school, in order to discharge her duties as a headmistress. Now, the petitioner is before this Court.

The petitioner submits that she is ready and willing to join the school immediately. She also submits that her health situation has improved and she will be able to attend the school regularly.

The allegation in this writ petition is that the school authorities have been restraining the petitioner from attending the school. A teacher-in-charge, has also been appointed.

Mr. Lahiri, learned advocate for the State respondents submits on instructions that as the petitioner had expressed her inability to discharge her duties as a headmistress on account of mental trauma and physical illness, the school was asked by the concerned District Inspector to make a stop gap arrangement so that the institution does not suffer. Only a stop gap arrangement, purely on temporary basis had been made, by appointing a Teacher-in-Charge.

Mr. Lahiri, further submits that police assistance was also given to the petitioner at the relevant point of time, when there were agitations in the school.

As the specific stand of the State respondents is that an interim arrangement for proper functioning of the school had been made by appointing the Teacher-in-Charge, this court does not think that the petitioner can nurse any further anxiety, in this regard.

As the petitioner is now ready and willing to join the school, the writ petition is disposed of with a direction upon the petitioner to join the school on and from July 18, 2022. All formalities shall be completed by the parties. Charge shall be handed over to the petitioner.

The other issue with regard to the treatment of the period of the petitioner's absence, till the date of her joining, is left open for determination by the appropriate authority.

The instructions of the District Inspector of Schools (S.E.) North 24 Parganas and the report of the police authorities, are taken on record.

The writ petition is disposed of.

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

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

(Shampa Sarkar, J.)