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08.03.
2022
Ct. No.17

WPA 18181 of 2021

Md. Ramjur Rahaman
Vs.
The State of W. B. & Ors.

Mr. Ekramul Bari
Ms. Tanuja Basak
Sk. Imtiaz Uddin
.....**For the Petitioner**
Mr. Sunit Kumar Ray
.....**For the School**
Ms. Chama Mukherjee
Mr. Siraj Gooptu
.....**For the State**
Ms. Saswati Chatterjee
.....**WBBSE**
Dr. S. K. Patra
Ms. Supriya Dubey
.....**For the WBCSSC**

In this matter the writ petitioner could not work in the school, may be by the instruction of the Headmistress which has been denied or may be out of his volition to save him from entanglement in any court case. When this court found that the petitioner was not involved in any illegality in joining and working in the school, he should join the school again immediately and this court passed such an order. Therefore, the petitioner joined immediately in the school and now he is working.

Now the question remains whether to pay the salary of the petitioner for the period of his absence. This court requests the District Inspector of Schools to consider this matter sympathetically so that the

petitioner is not deprived of his salary for the period from the date of his first joining (21st September, 2021) to his second joining (7th February, 2022). Second joining was by the order of this court. I make this request to the District Inspector of Schools for the reasons that a person who is not in any manner involved in any illegality, irregularity or corruption should not be punished unreasonably.

Regarding approval of his service in the post, the school authority has intimated this court that the school authority has forwarded all papers for approval to the District Inspector of Schools and the petitioner is entitled to get approval from the date of his first joining i.e. 21st September, 2021.

I hope and expect that the petitioner will get the unpaid salary from the date of his first joining i.e. 21st September, 2021 to the date of his second joining i.e. 7th February, 2022.

With this direction the writ petition is disposed of.

Affidavit-in-opposition filed by the school is kept on record.

(Abhijit Gangopadhyay, J.)

