

03.01.2022

BP
Sl. 10, 11
Court No. 17.

WPA 16917 of 2019

(Via Video Conference)

Bijoy Krishna Roy
Vs.
The State of West Bengal & Ors.

With

WPA 13358 of 2015
With
IA No. CAN 3 of 2018
(Old no. CAN 7294 of 2018)

Bijoy Krishna Roy
Vs.
The State of West Bengal & Ors.

Md. Sarwar Jahan
Mr. Maidul Islam Kayal
... for the petitioner.

Mr. Kumar Jyoti Tewari
Mr. Manas Kumar Das
..for the private respondent
in WPA 16917 of 2019.

Mr. T. J. Tewari
..for the private respondent in
WPA 13358 of 2015

Mr. B.P. Vaisya
Mr. Suman Dey
..for the State.

WPA 13358 of 2015

Learned advocate for the petitioner does not want
to proceed with this matter.

The writ petition is dismissed as not pressed.

All interim orders passed in WPA 13358 of 2015 are vacated.

WPA 16917 of 2019

The petitioner though was recommended by the School Service Commission for the post of Headmaster of Lakhuria High School against 1st SLST (HM) for which recommendation letter was issued to the petitioner on 03.07.2019 by the School Service Commission and the Commission requested the President of the West Bengal Board of Secondary Education to issue appointment letter, the appointment letter was not issued as the petitioner could not produce 'No Objection Certificate' as at that point of time another writ application being WPA 13358 of 2015 was pending before this court. The petitioner wanted to be the Assistant Headmaster of Debagram High School where he was working as an Assistant Teacher.

Now Debagram S.A. Vidyapith has come up with 'No Objection Certificate' which the learned advocate for the Debagram School will hand over to the learned advocate for the petitioner by tomorrow and now the petitioner will be sufficiently armed with all papers for getting appointment as a Headmaster. In the meantime the post of Lakhuria High School has been filled up. The

petitioner prays before this court for recommendation of his name for the post of Headmaster in any other school nearer to his residence.

I find that the petitioner had no deliberate role for not joining the recommended school being Lakhuria High School. He could not get the appointment letter for want of the 'No Objection Certificate' from Debagram school.

Considering the above facts and circumstances, I direct the Chairman of the West Bengal Central School Service Commission to give an opportunity of hearing to the petitioner within a period of thirty days from the date of communication of this order and to consider his prayer.

It is made clear that this court is not passing any positive direction upon the School Service Commission for recommending him to any other school but this is only an order for considering the case of the petitioner.

The petitioner is directed to supply a copy of this writ application along with a copy of this order upon the Chairman of the West Bengal Central School Service Commission in course of this week.

With the above direction and observation, this matter is disposed of.

(Abhijit Gangopadhyay, J.)

