

22. 02. 2022
BP
Sl.81
Court No. 17

WPA 19205 of 2021
(Via Video Conference)

Samuel Sarkar
Vs.
The State of West Bengal & Ors.

Mr. Shuvro Prokash Lahiri
..for the petitioner.

Mr. Pinaki Dhole
Mr. Suman Dey
..for the State.

Mr. Sanjay Kumar Baid
..for the respondent nos. 6 to 11..

Dr. S.K. Patra
Ms. Supriya Dubey
..for SSC.

The parties have fairly submitted that the impugned order at page 51 of the writ application (Annexure P-7) cannot stand as it is against the law and the order of the Division Bench reported in (2008) 4 Cal LT 390 and therefore, this order may be set aside.

Considering the submissions of both the parties, I set aside the order of the District Inspector of Schools (SE), Kolkata dated 10th August, 2021 and as prayed for by both the parties, for relegation of the matter to the concerned District Inspector of Schools who is directed to consider the matter afresh keeping in mind the judgments of the Division Bench as aforesaid.

I direct the concerned District Inspector of Schools to give a hearing to the parties within a period of three weeks from date of communication of the order and to pass a reasoned order thereon by one week thereafter. The reasoned order to be passed by the DI is to be communicated to the parties.

With this direction, this writ application is disposed of.

(Abhijit Gangopadhyay, J.)

