

14.03.2022
Item No.133
Ct. No.17
S.A.

W.P.A. 20582 of 2021

Tushar Kanti Samanta

-vs-

The State of West Bengal & Ors.

Mr. Uttam Kumar Bhattacharyya

... for the petitioner

Mr. Pinaki Dhole

Mr. Avishek Prasad

...for the State

The grievance of the writ petitioner is that though he was given a direction to be appointed within a certain period but he got the appointment after five years. Thus, he lost the benefit of five years without any fault in his part. In this regard he has filed one representation to the District Inspector of Schools which was received by the said District Inspector of Schools on 07.07.2021 (at page 55 of the writ application) being Annexure P-10.

I have heard the learned advocate for the State Mr. Dhole who submits that there were several court cases that is why the petitioner could not be given appointment.

After hearing the parties, I direct the District Inspector of Schools to take one impartial decision in this regard keeping in mind that the petitioner cannot be deprived from his service benefit when he was not at fault. The effect of the pending cases as has been submitted by the state should also be considered by

the said DI on the delay of appointment of the petitioner.

The District Inspector of Schools is directed to call a meeting of the petitioner and the school within a period of six weeks from the date of service of copy of this order to take a decision in this regard and to communicate the decisions to the petitioner and also to the school within a period of two weeks thereafter.

With the above direction, the writ application is disposed of.

Affidavit of service filed today in court is kept on record.

(Abhijit Gangopadhyay, J.)