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29.09.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 20142 of 2022

**Rubi Choudhuri
-versus
The State of West Bengal & Ors.**

**Mr. Partha Sarkar,
Mr. Abhijit Basu.
...For the Petitioner.**

**Ms. Sudipa Roy,
Mr. Srinath Singha Roy.
...For the State.**

**Mr. Sandipan Banerjee,
Mr. Sobham Majumder.
...For the Durgapur Municipal
Corporation.**

Affidavit-of-service filed in Court today is taken on record.

The petitioner was engaged by the Durgapur Municipal Corporation as Siksha Sahayika sometime in the year 2011 for a contractual period. The contract of the petitioner was not renewed in April 2014 by the Director of Local Bodies on the ground that she was under-aged on the date of engagement.

The Durgapur Municipal Corporation forwarded the prayer of the petitioner for re-engagement to the Director of Local Bodies. In reply thereto, the Director of Local Bodies intimated that there is no provision in the guidelines for re-engagement as Siksha Sahayika of

Shishu Siksha Kendra Centre under Durgapur Municipal Corporation.

The petitioner submits that the Director of Local Bodies by Memo dated 20th September, 2019 re-engage as many as six Siksha Sahayika in the Durgapur Municipal Corporation.

The petitioner alleges discrimination and submits that the benefit which has been extended in favour of similarly circumstanced Siksha Sahayika may be extended in case of the petitioner.

A representation filed by the petitioner praying for re-engagement is pending consideration.

In view of the above, the instant writ petition is disposed of by directing the Director of Local Bodies and Ex-Officio Joint Secretary to consider the prayer of the petitioner for approval on appointment/engagement afresh in the post of Sahayika in accordance with law, within a period of eight weeks from the date communication of a copy of this order.

The said respondent shall pass a reasoned order and communicate the same to the petitioner within a fortnight thereafter.

The petitioner shall forward a copy of her representation dated 22nd August, 2022 at the time of communication of this order.

It is made clear that this Court has not gone into the merits of the case and all points are left open to be decided by the said respondent at the time of consideration of the representation of the petitioner.

The communication of the Director of Local Bodies dated 6th July, 2022 shall not be made effective in case of the petitioner.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)