

WPA 24365 OF 2019

Satyaban Sinha & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Manowar Ali
Ms. Bratati Dutta.

....For the petitioners

Mr. Suman Dey

....For the Respondents
State.

The petitioners claims that they are ***Group-D staff at Arjunpur High School (H.S.), District-Murshidabad.***

The petitioners applied with prayers for approval of their appointments as Group-D staff. The application was dated ***November 20, 2019.*** The application was made before the respondent no.3. Since then the said application did not receive any attention of the relevant State authority. The application is available at page 38 of the writ petition.

None appears for the respondents, nor any accommodation has been sought for.

Mr. Suman Dey, learned State counsel is present in Court who normally appears in this type of matters. He is requested to appear for the State in the matter and hold the brief. His appointment is directed to be regularised forthwith by the office of the learned Government Pleader.

Considering the issues involved in this matter and the materials on record, the respondent no.3 is directed

to consider the application of the petitioners dated November 20, 2019 at page 38 of the writ petition after giving a prior hearing notice of at least seven days to the petitioners and the respondent nos. 4 and 5 and after giving them an opportunity of hearing shall pass his reasoned order/decision on this issue.

The entire exercise as directed above, shall be carried out and completed by the respondent no.3 within a period of six weeks from the date of communication of this order.

The respondent no.3 then shall communicate his reasoned order/decision to the petitioners and the respondent nos. 4 and 5 within a further period of two weeks from the date of the said reasoned order/decision to be passed.

In the event the said reasoned order/decision goes in favour of the petitioners, the respondent no. 3 shall take all possible and consequential steps to implement and give effect to the said reasoned order/decision within a further period of four weeks from the date of the said reasoned order/decision to be communicated to the petitioners and the respondent nos. 4 and 5.

It is made clear that this Court has not gone into the merits of the claims of the writ petitioners in any manner.

The petitioners shall be at liberty to urge all points available to them and shall be at liberty also to rely upon

whatever documents and records they wish to rely upon before the respondent no.3.

Similar liberty will be there for the respondent nos. 4 and 5.

Since no affidavits are called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

It is further made clear that this order shall not create any equity in favour of the petitioners, if they are not eligible to their claim strictly in accordance with law.

On the above terms this writ petition, **WPA 24365 of 2019** stands disposed of, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)