

Sl No. 19
11.03.2022.
Ct No. 2

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

**WPA 30 of 2022
Manoj Kumar Saha
-versus
The State of West Bengal & Ors.**

Mr. Arnab Saha
Mr. Sudhindra Das
... for the petitioner.

Mr. Subir Kumar Saha (AGP)
Mr. Pretom Das
... for the State respondents.

Mr. Bikramaditya Ghosh
... for DPSC.

The petitioner submits that he participated in the recruitment process initiated by the District Primary School Council, Jalpaiguri in the year 2009. The said selection process is yet to be over.

The petitioner approached this Court on an earlier occasion by filing a writ petition being WP No. 19014 (W) of 2010 which stood disposed of by an order dated 15th June, 2012 relying upon a report filed by the Council.

The Court took note of the fact that an enquiry was going in respect of 423 candidates and if their

candidatures were cancelled, then there may be recasting of the panel.

According to the petitioner, the enquiries are far from being over.

The petitioner claims to have made series of representations before the Council as well as filed applications under the Right to Information Act, 2005. None of the representations have been answered till date.

A letter was served by the Assistant Secretary of the School Education Department to the Chairman, DPSC, Jalpaiguri on 12th October, 2017 calling for furnishing an action taken report directly to the petitioner at the earliest, but the same has also not been responded by the Council.

The petitioner served a notice demanding justice to the Council on 30th December, 2021 and alleges that the same has not been considered till date.

Learned advocate representing the Council submits that it is the West Bengal Board of Primary Education who is taking steps for recruiting of the primary school teachers at present.

It has been submitted that presently the matter falls under the jurisdiction of the District Primary School Council, Alipurduar.

The petitioner has not forwarded any representation to the District Primary School Council, Alipurduar.

Accordingly, leave is granted to the petitioner to file a fresh representation before the District Primary School Council, Alipurduar along with all supporting documents.

On receipt of the said representation, the Chairman, District Primary School Council, Alipurduar shall take a decision in the matter within a period of six weeks from the date of receipt of the representation and dispose of the same strictly in accordance with law, at the earliest, but positively within a period of six weeks from the date of receipt of the representation.

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

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)