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Circuit Bench of Calcutta High Court
At Jalpaiguri

WPA 280 of 2022

Krishna Kumar Jha

Vs.

State of West Bengal & Ors.

Mr. Ekramul Bari,

Mr. Sayan Dey,

Ms. Esha Acharya

...for the Petitioner.

Ms. Supriya Singh

... For the Respondent Nos. 2 & 3.

Mr. Subir Kumar Saha,

Mr. Momenur Rahman

... For the State.

Mr. Dabajit Kundu

... For the Respondent No. 5.

Heard learned Advocates appearing for the parties.

In compliance of the order of this court dated 4th November, 2022, District Inspector of Schools (SE), Jalpaiguri, Ms. Balika Goley is personally present in court and files report dated 28th March, 2022 through her learned Advocate and on perusal of such report, I find that the findings in the said report particularly in paragraphs 2 and 3 of which are very relevant, which are quoted herein:

“The petitioner submits, all the documents, in connection with his approval as AHM and copy of approval as AHM. But he complaint that he did not get pay fixation as AHM as the school authority did not send papers to the D.I./S.(S.E.), Jalpaiguri for fixation of pay till date. The H.M. of Chengmri T.E. High School and other members of the School Managing Committee present in the hearing complaint that the petitioner

misled the School Managing Committee regarding the appointment of AHM but no such documents in support of their claim has been submitted by them.

Gone through the documents submitted by the petitioner and complaint raised by the School Managing Committee member, it appears that the process of selection of AHM was as per rule. Hence the school authority is requested to submit the requisite papers of the petitioner for fixation of pay as AHM at the earliest to the office of the undersigned.”

Considering the submission of the parties and facts and circumstances as appears from record and taking into consideration the aforesaid report, District Inspector of Schools (S.E.), Jalpaiguri is directed to consider and take a final decision with regard to fixation of pay scale of the petitioner strictly in accordance with law irrespective of any adverse observation made by the School Managing Committee Members, within eight weeks from the date of communication of this order.

Personal appearance of the District Inspector of Schools (S.E.), Jalpaiguri is dispensed with.

Let such report filed by the District Inspector of Schools (S.E.), Jalpaiguri be kept with the record.

With this observation and direction, this writ petition being WPA 280 of 2022 is disposed of.

(Md. Nizamuddin, J.)