

07.06.2022
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Item No.18

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

**WPA No. 404 of 2022
Biswajit Chakraborty
Versus
The State of West Bengal & Ors.**

Mr. Momenur Rahman	
Mr. Bikash Singha	...for the Petitioner
Mr. Hirak Barman	
Mr. Pretom Das	...for the State

Affidavit of service and supplementary affidavit filed by the petitioner are taken on record.

It is contended on behalf of the petitioner that the petitioner was initially appointed as assistant teacher as Mohitnagar Colony Tara Prasad High School (XII) and in terms of recommendation of the West Bengal Regional School Service Commissioner, Northern Region, Malda dated November 22, 2001, the petitioner was appointed as Head Master of Purba Dhantala High School, Purba Dhantala, Post Office- Satellite Township, District – Jalpaiguri and his service was duly approved by the District Inspector of Schools vide memo dated February 25, 2002 with effect from February 01, 2002. The petitioner lost his service book along with other relevant documents and lodged a General Diary in this regard being GDE No. 392 dated February 08, 2019. Such loss was intimated to the Administrator of the School and the

District Inspector of Schools was requested to grant necessary approval for reopening of the service book of the petitioner. The petitioner initially prayed for a direction upon the District Inspector of Schools, the 4th respondent herein, to take immediate steps for reopening of the service book of the petitioner by according necessary approval thereto.

The petitioner has used a supplementary affidavit which demonstrates that the 4th respondent has issued necessary instructions to the Administrator, Purba Dhantala High School, Purba Dhantala, Post Office-Satellite Township, District – Jalpaiguri for taking necessary steps for reopening service book of the petitioner at the earliest.

The petitioner complains that despite such communication of the District of Inspector of Schools, the 6th respondent has not taken any steps in this regard. The petitioner has also made communication to the 6th respondent in this respect on April 28, 2022 and prays for direction upon the 6th respondent to act in terms of the communication sent by the 4th respondent.

Having considered the submission made on behalf of the parties and material on record, this Court is of the view that the 6th respondent should be directed to take necessary steps for reopening of the service book of the petitioner in terms of the instructions given by the 4th respondent on March 31, 2022.

Accordingly this writ petition is disposed of directing the 6th respondent to act in terms of the instructions given by the 4th respondent on March 31, 2022 and take necessary steps for reopening of the service book of the petitioner within two weeks from the date of communication of this order.

With the above observations and directions this writ petition being WPA No. 404 of 2022 is disposed of.

There shall be, however, no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)