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11.03.2022
d.p.

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

**W.P.A 635 of 2022
(Via Video Conference)**

**Manoj Kumar Barman
-versus
State of West Bengal & Ors.**

**Mr. Surajit Basu,
Mr. Ratan Chandra Roy,
Ms. Ranu Mondal.
...For the Petitioner.**

**Mr. Subir Kumar Saha, AGP,
Mr. Pretom Das.
...For the State.**

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

The petitioner's allegation is that, even though, he is entitled to get benefit of the Memorandum being No. 2081-Edn (CS)/ 10M-83/2019 dated 23rd December, 2019 issued by the Higher Education Department (College Sponsored Branch), the name of the petitioner has not been forwarded by the College to the Director of Public Instruction in proper time.

The cut-off date for forwarding the documents of the eligible candidates was 25th September, 2019.

The petitioner made several representations before all the respondent authorities including the College but no steps have been taken by the

respondents so that the petitioner may get the benefit of the aforesaid memorandum.

The College is not represented in Court today despite service.

It appears from the documents annexed to the writ petition that the Director of Public Instruction forwarded a communication to the College regarding submission of the detailed status report in respect of the teachers of the said College wherein, the petitioner herein was one of the teachers whose status report was sought for by the Director of Public Instruction.

The College duly forwarded the detailed status report on 3rd February, 2020. In response to the letters forwarded by the College, the Director of Public Instruction by a communicating memo dated 26th February, 2021 requested the College to submit a detailed report along with all other relevant documents of the petitioner.

The College in response to the aforesaid communication again forwarded the detailed report of the petitioner for consideration of approval of his status as a State Aided College Teacher by a communicating memo dated 2nd April, 2021 which was received by the office of the Education Directorate on 16th July, 2021.

The petitioner is yet to be made aware as to whether the benefit in terms of the aforesaid Memo has been awarded in his favour or not.

As it appears that presently all the documents of the petitioner is available in the office of the Director of Public Instruction, accordingly, the instant writ petition

is disposed of by directing the Director of Public Instruction to take a decision with regard to the prayer of the petitioner for grant of benefit in terms of the Memorandum dated 23rd December, 2019 strictly in accordance with the said Memo at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

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

The petitioner is directed to forward a copy of his representation made to the Director of Public Instruction along with all documents in his support to the aforesaid respondent at the time of communicating the order of this Court.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)