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11.03.2022
d.p.

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

W.P.A 645 of 2022

**Kalyan Paul
-versus
The State of West Bengal & Ors.**

**Mr. Rudranil De,
Mr. Abhisek Maity.
...For the Petitioner.**

**Mr. Subir Kumar Saha,
Mr. Momenur Rahman
...For the State.**

Affidavit of service filed in Court today is taken on record.

The prayer of the petitioner, Guest Lecturer of Ananda Chandra College, Jalpaiguri, for approval as State Aided College Teacher is yet to be answered by the Director of Public Instruction.

It appears from a letter written by the Principal of Ananda Chandra College on 24th July, 2020 that the Principal of the College forwarded all the basic details of the petitioner for approval as State Aided College Teacher. The letter mentions that in the details of the petitioner which was uploaded in the portal earlier, there was an inadvertent error in mentioning the date of joining of the petitioner. The date of joining of the petitioner has been incorrectly mentioned as 1st August, 2019 instead of 1st August, 2017.

The petitioner has annexed the basic details issued by the college at page 47 of the writ petition. The date of joining was initially mentioned as 1st August, 2019, the same has been stuck off and it has been mentioned as 1st August, 2017. The correction has been countersigned by the Principal of the College.

The petitioner, thereafter, filed representation before the Director of Public Instruction on 13th August, 2021 praying for approval of his service as State Aided College Teacher. The same has not been considered by the respondents till date.

Learned advocate representing the State respondents submits that until and unless proper details of the candidate is uploaded in the portal, the respondent authorities will not be able to take a decision in the matter.

It appears from the submissions made on behalf of the parties that the Principal of the College uploaded the details of the petitioner in the portal within the time as specified in the Memorandum dated 23rd December, 2019, but due to inadvertence of the College Authority the date of joining of the petitioner was wrongly mentioned. The petitioner did not have any role to play at the time of uploading the details. It is the College which inadvertently uploaded the wrong details. The petitioner ought not to suffer for the unintentional error on the part of the College Authority.

In view of the above, the instant writ petition is disposed of by directing the Director of Public Instruction being the respondent no. 3 herein to take a decision with regard to the prayer of the petitioner for approval as State Aided College Teacher in accordance

with the Memorandum dated 23rd December, 2019, keeping in mind the proper details of the petitioner which has been forwarded to the department in due course. The Director of Public Instruction shall take a decision in the matter at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

The petitioner is directed to forward a copy of the communicating Memo of the College dated 24th July, 2020, the basic details of the petitioner issued by the College annexed at page-47 of the writ petition and a copy of his representation dated 13th August, 2021 to the Director of Public Instruction at the time of communicating the order of this Court.

The writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)