

14.07.2022
RP/Ct. 2
sl no. 26

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
Constitutional Writ Jurisdiction**

**WPA 1364 of 2022
Samir Mandal
Vs.
State of West Bengal & Ors.**

Mr. Ekramul Bari
Mr. Debajit Kundu

.... For Petitioner

Mr. Subir Kumar Saha
Ms. Bedashruti Bose

.... For State

Petitioner was engaged on contractual post in the Education Department as Education Supervisor. He was implicated in a criminal case under Section 498A/304B of the Indian Penal Code and was in jail custody for some time and thereafter released on bail. The grievance of the petitioner is that though the offence in connection with which the petitioner was in custody relates to domestic affairs, he should be allowed to join his normal duty as Education Supervisor forthwith. He made a representation dated April 28, 2022 before several authorities including the Project Director, CMDMP, being the respondent no.3 herein.

Mr. Bari, learned advocate appears for the petitioner and submits that in spite of the fact that the petitioner has made a representation on April 28, 2022 for allowing him to join in the post of Education

Supervisor but the respondent no.3 is sitting tight over the matter and has not communicated his decision to the petitioner till date.

Ms. Bose, learned advocate led by Mr. Saha, learned advocate appears for the State and submits that the District Inspector of Schools has forwarded the matter to the Project Director, CMDMP, being the respondent no.3, and the matter is under active consideration of the said respondent.

Since the matter is under consideration of the respondent no.3, WPA 1364 of 2022 is disposed of by directing the Project Director, CMDMP, being the respondent no.3, to consider the representation of the petitioner dated April 28, 2022 annexed as Annexure P-4 at page 24 of the writ petition and to dispose of the same by passing a reasoned order after giving an opportunity of hearing to the petitioner and to communicate the same to the petitioner. The entire exercise shall be completed within a period of four weeks from the date of communication of this order.

Urgent Photostat certified copy of this order, if applied for, be delivered to the learned advocates for the parties, upon compliance of all formalities.

(Hiranmay Bhattacharyya, J.)

