

ORDER SHEET

OD-3

WPO 9 OF 2019
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

AMIT SHAW
VS.
THE STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE ANIRUDDHA ROY

Date: 13th July, 2022

Mr. Sakti Pada Jana, Adv.
Mr. Subhajyoti Das, Adv.
For petitioner

The Court : Affidavit of service filed in Court today, taken on record.

Mr. Shaktipada Jana, learned Advocate with Mr. Subhajyoti Das, learned Advocate appears for the petitioner.

Despite notice, none appears for the State.

Since the petitioner has appeared, the writ petition is taken up for hearing.

This writ petition has been filed assailing a decision/order of the third respondent dated July 27, 2018 whereby and whereunder the claim of the petitioner for post graduation scale was rejected.

The petitioner is an honours graduate in chemistry. The petitioner joined to the post of Assistant Teacher with effect from July 1, 2011 under the administrative approval dated April 30, 2012 and improved his qualification to Masters of Science in Chemistry in 2014.

On the close scrutiny of the impugned order dated July 27, 2018 it appears to this Court that the same is extremely cryptic in nature and the

reasons for rejection should have been stated specially so that the petitioner may know the reasons for rejection of his claim.

In view of the above, the said impugned order dated July 27, 2018 stands set aside and quashed.

The third respondent is directed to decide the issue of the petitioner taking the case of the petitioner into consideration as framed in the writ petition with all its annexures after giving a hearing to the writ petitioner, in accordance with law, upon giving at least seven days prior notice of hearing to the petitioner and then shall dispose of the grievance of the petitioner with a reasoned order.

The entire exercise must be carried out by the third respondent within a period of six weeks from the date of communication of this order.

The third respondent must communicate its reasoned decision to the petitioner within a further period of two weeks from the date of such reasoned order/decision.

On the above terms, the writ petition being **WPO No. 9 of 2019** stands disposed of.

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

The petitioner shall serve a copy of this order at the office of the learned Advocate-on-Record of the State.

(ANIRUDDHA ROY, J.)

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