

01.05.2023
(I.No.8)
Ct.-18
(P.Jana)

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 416 of 2022

Suprakash Das

-Vs-

The State of West Bengal & ors.

Mr. Animesh Mukherjee,

Mr. Saikat Chatterjee,

.... For the Petitioner.

Mr. Partha Sarathi Bhattacharya, Sr. Adv.

Mr. Abdur Rakib,

... For respondent nos. 5, 6 & 7.

Mr. Pinaki Dhole,

Mr. Avishek Prasad, ... For the State.

Suri Sri Sri Ramkrishna Vidyapith, Birbhum, is a school notified under section 15A of the West Bengal School Service Commission Act, 1997, as such, is exempted from the purview of the said Act.

The school authority, by a newspaper advertisement invited applications from the eligible candidates for appointment to the post of Assistant Teachers in the said school. The petitioner applied for appointment in the post of Assistant Teacher subject Bengali. He was found eligible in the selection test.

The school authority, on the basis of the result of the said selection process, prepared a panel of eligible candidates and sent it to the District Inspector of Schools(S.E.) Birbhum, the respondent no. 4 herein, for approval.

The petitioner is one of the empanelled candidates, his grievance is that the school authority had sent the said panel on June 17, 2019 but failed to get the attention of the respondent no. 4 till date.

Mr. Bhattacharya, learned senior advocate for the school authorities submits that the said panel was prepared following the procedure prescribed under the West Bengal (Special Procedures of Selection of Persons for Appointment to the Post of Teachers and Non-teaching Staff of Certain Notified Schools) Rules, 2013, but due to the delay in approval, the school is suffering.

Mr. Dhole, learned counsel for the State, submits that there are reasons for not approving the said panel.

Having heard the learned counsel for the parties and on going through the materials-on-record, it appears that the prayer of the school authority for approval of the panel is appearing at Page-‘39’ of the writ petition and it is pending before the respondent no. 4 since June 17, 2019, as such, the said respondent is obliged to dispose it of.

The respondent no. 4 is, therefore directed to dispose of the said prayer of the school authority expeditiously in accordance with law, preferably within a week from date of communication of this order and immediately after such disposal, shall communicate the decision to the petitioner and the school authority.

WPA 416 of 2022 is disposed of with the above terms without any order as to costs.

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

(Biswajit Basu, J.)