

Court No. 22
16.02.2023
(Item No. 24)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

R.V.W. 11 of 2023
+
C.A.N. 1 of 2023
+
C.A.N. 2 of 2023
In
W.P.A. 22063 of 2022

The Director of Public Instructions, West Bengal
VS
Dr. Shanta Moulik & Ors.

Mr. Arka Kumar Nag
Mr. Rahul Kumar Singh
Mr. Ankan Das
..... for the petitioner

Mr. Amitava Chaudhuri
Mr. N. Roy
..... for the applicant

In Re: **CAN 2 of 2023**

This is an application for condonation of delay in filing the review application seeking review of the order passed by this Court on September 29, 2022 and as corrected by an order dated November 15, 2022.

On perusal of the averments made in the condonation application, it appeared to this Court that, the delay was for about 130 days and sufficient cause for the same had been explained.

For the ends of justice, this application for condonation of delay stands allowed.

Accordingly, application being **CAN 2 of 2023** stands allowed, without any order as to costs.

In Re: **RVW 11 of 2023**

This is an application filed by respondent No. 3 seeking review of the order passed by this Court on September 29, 2022 as corrected on November 15, 2022.

On perusal of the averments made in the review application and upon hearing the learned advocates representing the parties before this Court today, this Court is of the firm view that, there is an apparent error on the face of the order dated September 29, 2022 as corrected on November 15, 2022. In the parent order dated September 29, 2022, its internal **page 2** contained a direction upon the respondent No. 2 to consider the representation of the petitioner.

As submitted by Mr. Amitava Chaudhuri, learned advocate appearing for the respondent No. 3 that, presently the respondent No. 3 is the appropriate authority to consider the representation of the petitioner in the facts and circumstances as stated in the said order dated September 29, 2022.

In view of the above, instead and place of respondent No. 2, the respondent No. 3 is directed to consider the representation of the petitioner on the terms and conditions, manner and mode specified in the said order dated September 29, 2022.

Except the above change/alternation there shall be no other change or modification in the said order dated September 29, 2022.

In course of the hearing Mr. Amitava Chaudhuri, learned State counsel produced a copy of official format by filling up the same the petitioner is required to apply for consideration of her case by the respondent No. 3. A copy of the said format is also made over to Mr. Arka Kumar Nag, learned advocate appearing for the petitioner.

The petitioner shall fill up the said format as far as it is applicable to the petitioner and the respondent No. 3 shall consider the case of the petitioner thereafter in terms of the direction made on September 29, 2022 taking into consideration that format to be filled up by the petitioner as far as it is applicable for her. The format should be submitted by the petitioner on or before February 28, 2023 before the respondent No. 3 and thereafter the time frame mentioned in the said order dated September 29, 2022 shall be calculated.

With the above observation, this review application being **RVW 11 of 2023** stands allowed, without any order as to costs.

(Aniruddha Roy, J.)