

W.P.A. 8083 of 2023

**Munshi Md. Sahebur Rahim
Vs.
The State of West Bengal & Ors.**

Mr. Sudip Ghosh Chowdhury ... For the petitioner.

Mr. Biswabrata Basu Mallick, Ld. AGP,
Mr. Sanjib Das ... For the State.

Dr. Sutanu Kr. Patra,
Ms. Supriya Dubey ... For the WBCSSC.

Ms. Bina Baidya ... For the respondent no. 5.

The petitioner participated in the 1st State Level Selection Test, 2016 for recruitment of Assistant Teacher in Class IX-X for the subject history(Grad) and was found eligible, consequently he was appointed as an Assistant Teacher of history(Grad) in Sultanpur Nivedita Sikshayatan.

The petitioner, before joining the said service could not complete his PhD course in History, which he was pursuing from Burdwan University. The petitioner now intends to complete the said course but as he is in employment, the University is demanding no-objection certificate from his employer for registration.

In the writ petition, the petitioner has stated that he has completed maximum portion of the said course and would complete the same without hampering his regular activities in the school and he would not seek any study leave.

Mr. Ghosh Chowdhury, learned advocate for the petitioner submits that the petitioner will not claim any financial benefit for acquiring the said PhD degree.

Ms. Baidya, learned advocate for the Teacher-in-charge of the said school, the respondent no. 5 herein submits that the Managing

Committee of the school had adopted a resolution on June 03, 2023 to issue the said no-objection certificate to the petitioner as he has assured the school authority that he would pursue the said course without compromising his normal duties in the school. She files the copy of the said resolution and a certificate of the respondent no. 5 dated June 07, 2023 to the said effect, let those documents be kept with the record.

The petitioner is giving the undertakings that he would not compromise with his duty in the school to complete the said course and shall not claim any financial benefit for enhancement of his qualification. The authority of the said school being satisfied by such undertakings of the petitioner, has decided to issue the required no-objection certificate.

Considering the aforementioned facts and circumstances, this Court directs the respondent no. 5 to issue the required '**no-objection certificate**' to the petitioner within a week from the date of communication of this order.

W.P.A. 8083 of 2023 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 upon compliance with all requisite formalities.

(Biswajit Basu, J.)