

91 11.5.2023
Sc Ct. no.22

WPA 14521 OF 2022

Manat De

Vs.

The State of West Bengal & Ors.

Mr. Ujjal Ray
Mr. Sk. Abdur Rahim.

.... For the Petitioner

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee.

.... For the State

Ms. Saswati Chatterjee

.....For the West
Bengal Board of
Secondary Education

The petitioner at present is working as an **Assistant Teacher at PanditpurIslamia Senior Madrasah, Panditpur, Murshidabad.** The petitioner claimed for correction of **Date of Birth.** The petitioner had made a representation dated January 27, 2022 before the respondent no.5 which had not yet received the attention of the authority.

To subserve justice, the respondent no.5 is directed to consider the **representation of the petitioner dated January 27, 2022 at page 29 to the writ petition** upon giving a seven days' prior hearing to the petitioner and the respondent no.9 and then after giving them an opportunity of hearing, shall decide the issue by passing a reasoned order strictly in accordance with law.

It is made clear that this Court has not gone into the merits of the claim of the petitioner in any manner and the petitioner and the respondent no.9 shall be at

liberty to urge whatever points they wish to urge by relying upon whatever documents and records they wish to rely upon before the respondent no.5.

The entire exercise as directed above, shall be carried out and completed by the respondent no.5 positively within a period of eight weeks from the date of communication of this order and the respondent no.5 shall communicate its reasoned order to the petitioner and the respondent no.9 within a further period of one week from the date of the said reasoned order to be passed.

It is made clear that this order shall not create any equity or right in favour of the petitioner and the case of the petitioner shall be disposed of by the respondent no.5 strictly in accordance with law by applying its own independent mind.

The respondent no.5 shall also be at liberty to call for any document or record which will be required by him to adjudicate the issue from the parties.

On the above terms this writ petition, **WPA 14521 of 2022** stands disposed of, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)