

Item-
ML-45.

09-10-2023

sg

Ct. 8

MAT 1478 of 2023
CAN 1 of 2023

Mahua Pradhan
Versus
The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury, Adv.
...for the appellant
Mr. Kamal Mishra, Adv.
Mr. Subhradeep Maitra, Adv.
...for the respondent nos.6-8
Ms. Koyeli Bhattacharyya, Adv.
...for the WBBSE
Mr. Pinaki Dhole, Adv.
Ms. Oindrila Chatterjee, Adv.
...for the State

1. The appellant is aggrieved by the order passed by the Headmaster and Secretary directing allotment of separate attendance register for the writ petitioner.
2. We have been informed by the Board that the appellant has replied to the show cause notice. The learned Counsel for the Board, however, unable to inform whether any disciplinary proceeding has been initiated.
3. In the event a representation is made by the appellant, the Board shall take immediate decision with regard to the reply to the show cause notice and decide the issue as expeditiously as possible.
4. In the event, the Board is of the view that a disciplinary proceeding is necessary, then a disciplinary proceeding shall be commenced and concluded within a period of period of six months from the date of commencement of such proceeding.
5. The petitioner shall sign the separate attendance register

subject to any decision that may be given by the Board in this regard in the meantime.

6. It would be open for the Board to restore the original decision by directing the petitioner to put her signature in the main attendance register on a condition that she shall not make any remark or comment against the name of the other teachers.
7. Since there are allegations and counter-allegations with regard to the conduct of the petitioner for which she was asked to sign in a separate attendance register, it is better for the petitioner to put her signature in the separate attendance register till the Board decides on this issue without prejudice to her rights and contentions with regard to initiation of the disciplinary proceeding and the alleged unfair treatment and/or humiliation that she had claimed to have undergone in the school in the course of her employment.
8. With the aforesaid modification of the order under challenge, the appeal and the application are, accordingly, disposed of.
9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Uday Kumar, J.)

(Soumen Sen, J.)