

05.10.2023
Item No. 28
Crt.No.22
b.r.

WPA 23023 of 2019

Subrata Das
-vs-
The State of West Bengal & Ors.

Mr. Ekramul Bari
Mr. Sk. Imtiaj Uddin
.... For the petitioner.

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
.... For the respondent
no.7./SSC.

Ms. Koyeli Bhattacharyya
.... For the W.B.B.S.E.

Mr. Gourav Das
..... for the State.

Dr. Patra, learned counsel appearing for the respondent no.7, the West Bengal School Service Commission has confirmed that the necessary recommendation has been issued on October 3, 2023 in favour of the petitioner for his appointment at **Birpara Shree Mahavir Hindi High School, District- Alipurduar.**

Now, the respondent nos. 8 and 9 shall take all necessary and consequential steps in terms of the said recommendation positively within a period of **two weeks** from the date of communication of this order.

The **respondent no.2** upon receiving necessary communication from the respondent nos. 8 and 9 shall take steps in accordance with law within a period of further **two weeks** from the date of receiving such communication from the respondent nos. 8 and 9.

The original recommendation for appointment was issued on **August 31, 2018 annexure p-2 at page-21** to the writ petition for one **Islampur High School (H.S.), District- Uttar Dinajpur**. Since the school could not accommodate the petitioner on the basis of the said recommendation, the petitioner could not join there. Finally, the second recommendation has been issued on **October 3, 2023** as referred to above.

In view of the above, the Secretary, School Education Department and/or any other appropriate authority shall give **notional benefit** to the petitioner from the date of the appointment letter dated **September 19, 2018** under the said first recommendation, **annexure p-3 at page 22** to the writ petition, even though there was no prayer made in the writ petition, but since for this delayed joining, no laches or fault can be attributed to the petitioner.

With the above observations and directions, this writ petition **WPA 23023 of 2019** stands **disposed of**, without any order as to costs.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities

(Aniruddha Roy, J.)