

Court No.
10.02.2023

(Item No. 93)

(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 27245 of 2022

Sonali Shit Soren
VS
The State of West Bengal & Ors.

Ms. Seba Ray
Mr. Bhaskar Sengupta
.... For the petitioner
Mr. Gourav Das
.... For the State

Affidavit of service filed in Court today, is taken on record.

The petitioner claimed to be an **Assistant Teacher** and presently working at the post of **Headmistress** at **Bhimpur Santal High School, District – Paschim Medinipur**. She claimed an approval to be issued in her favour by the respondent No. 3 for the said post of Headmistress. Repeated representations were made before the respondent No. 3 but no heed was paid thereto.

Drawing attention to **page 43** to the writ petition which was a representation made by the relevant school dated **October 31, 2019** made before the respondent No. 3, it was submitted that, the same had not yet received any attention of the State authority.

Mr. Gourav Das, learned advocate appeared for respondent Nos. 1, 2 and 3.

In view of the above, to sub-serve justice, the respondent No. 3 is directed to consider the said

representation made by the relevant school dated **October 31, 2019** at **page 43** to the writ petition after giving at least seven days prior hearing notice to the petitioner and the school authority, respondent No. 4 and after giving them an opportunity of hearing shall decide the issue with a reasoned order.

The entire exercise as directed above, shall have to be carried out and completed by the respondent No. 3 positively within a period of six weeks from the date of communication of this order. The respondent No. 3 then shall communicate its reasoned order to the petitioner and the relevant school authority within a further period of two weeks from the date of the said reasoned order to be passed.

It is made clear that, this Court has not gone into the merit of the claim of the petitioner in any manner. The petitioner and the relevant school authority shall be at liberty to urge whatever points they wish to urge before the respondent No. 3 by relying upon whatever documents and records they wish to rely upon.

The respondent No. 3 shall consider the case of the petitioner strictly in accordance with law. In the event, the decision goes in favour of the petitioner the respondent No. 3 shall issue the necessary approval in favour of the petitioner and take all further and consequential steps positively within a period of four

weeks from the date of the said reasoned order to be passed.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

On the above terms, this writ petition being **WPA 27245 of 2022** stands disposed of.

There shall, however, be no 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.)