

Court No. 22
24.01.2023
(Item No. 51)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 28101 of 2022

Bijoy Krishna Roy
VS
The State of West Bengal & Ors.

Mr. Rajarshi Basu
Mr. Lal Ratan Mondal
Mr. Subhasish Mukhopadhyay
..... for the petitioner
Mr. Arindam Chattopadhyay
Mr. Bhaskar Prasad Vaisya
.... For the State
Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
.... For WBCSSC

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

Mr. Rajarshi Basu, learned counsel appearing for the petitioner drawing attention to order dated **January 3, 2022, Annexure P-1** at **page 22** to the writ petition passed by a co-ordinate bench in the previous writ petition filed by the same writ petitioner in **WPA 16917 of 2019**, submitted that, the respondent No. 4 was directed to give an opportunity of hearing to the petitioner and to consider his prayer. Mr. Basu then drew attention of this Court to **Annexure P-4** at **page 27** to the writ petition which is a communication dated **May 11, 2022** issued by the respondent No. 5 to the respondent No. 2 following the said direction of the co-ordinate bench requesting the respondent No. 2 to send the vacancy position for the post of **Headmaster** in favour of the petitioner.

The said direction had not been carried out by the respondent No. 2.

After considering the submissions made on behalf of the appearing parties and on perusal of materials on record, to sub-serve justice, the respondent No. 6 is directed to prepare a vacancy status following the said communication dated **May 11, 2022, Annexure P-4** to the writ petition issued by the respondent No. 5 and then shall communicate the same to the respondent No. 2, Commissioner of School Education, who in turn shall intimate the same to the respondent No. 4 for recommending the name of the petitioner strictly in accordance with law and the necessary appointment shall be given to the petitioner in accordance with law.

The entire exercise as directed above, shall be carried out and completed positively within a period of eight weeks from the date of communication of this order. The petitioner is directed to serve a copy of this order to each of the respondents as mentioned above.

On the above terms, this writ petition being **W.P.A. 28101 of 2022** stands disposed of.

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.)