

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side**

WPA 1121 of 2023

**Tapasi Roy
-versus-
The State of West Bengal and Ors.**

Mr. Narendra Nath Das
Mr. Pragyadip Roy Basunia
Mr. Pratyush Adhikary
Ms. Binapani Singha
Mr. Madhab Kr. Roy
Mr. Jagesh Ch. Roy

... for the petitioner.

Mr. Hirak Barman
Mr. Bedashruti Bose

... for the respondents.

Mr. Bikramaditya Ghosh

... for the SSC.

Counsel for the respective parties are
present.

The petitioner was appointed as Assistant Teacher for class XI and XII in Political Science (PG) in the year 2018. At the time of appointment, the petitioner was serving as Junior Basic Teacher and was enjoying the maternity leave from 09.06.2018. On receipt of letter of appointment, the petitioner had informed about her maternity leave and requested to allow the petitioner to join her service with her maternity leave.

The respondent authorities have not considered the request of the petitioner and not allowed the petitioner to join her duty in the new post. The petitioner had submitted her representation to the respondent nos. 3 and 4 but the said representation was misplaced.

The petitioner again submitted her representation dated 06.08.2022. The Joint Secretary, School Education directed the respondent no.3 to address the grievance of the petitioner. In the meantime the Secretary, West Bengal School Service Commission has forwarded the representation of the petitioner to the Joint Secretary to the Government of West Bengal School Education for consideration but till date the representation of the petitioner is pending and no decision has been taken.

This Court finds that no purpose would be served by keeping the writ application pending as the Secretary, West Bengal Central School Service Commission has already referred the matter to the Joint Secretary to the Government of West Bengal for consideration.

In view of the above, the Joint Secretary to the Government of West Bengal, School Education Department, Public Grievance Cell is directed to

consider the representation of the petitioner as per the request made by the Secretary, West Bengal Central School Service Commission dated 22nd May, 2023, if necessary, by giving personal hearing to the petitioner and to pass a reasoned and speaking order within a period of three weeks from the date of communication of this order.

WPA 1121 of 2023 is disposed of.

Since the writ petition is disposed of without calling for affidavits, allegations made therein are deemed to have been denied.

(Krishna Rao, J.)