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08.08.2023
Ct. No.2
b.das

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

WPA No. 1453 of 2023

Kalyan Roy
Vs.
The State of W.B. & Ors.

Mr. S.M. Obaidullah
Mr. Debajit Kundu
Ms. Ankita Dey ...for the petitioner.

Mr. Subir Kr. Saha
Ms. Bedashruti Bose ...for the State.

Affidavit of service filed by the petitioner is taken on record.

The petitioner submits that his mother, Anuva Roy (since deceased) was an assistant teacher in Uttar Latabari Hindi High School and died in harness on 20th April, 2018.

The petitioner being B. Tech in civil engineering, belonging to the scheduled caste and being unemployed applied before the concerned authority on 16th May, 2018 for appointment on compassionate ground. Upon fulfilment of requisite formalities, the managing committee of the school in a resolution taken on 14th July, 2018 recommended the appointment of the petitioner on compassionate

ground and forwarded the said recommendation to the District Inspector of Schools (SE), Alipurduar.

Learned counsel for the petitioner submits that no step has been taken by the District Inspector of Schools pursuant to such recommendation till date.

The petitioner submitted a representation on 23rd February, 2023 before the concerned authority, which has not been considered till date. The petitioner prays for a direction upon the respondents to consider the representation at the earliest.

It is submitted on behalf of the respondents that the 5th respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 5th respondent to consider and dispose of the representation submitted by the petitioner dated 23rd February, 2023 in terms of the recommendation made by the managing committee as well as the headmaster of the school upon affording reasonable opportunity of hearing to the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereafter.

Necessary consequential steps be taken by the authority within one week from the date of disposal of the representation.

With the above observations and directions the writ petition is disposed of.

However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)