

10.06.2024.
Court No.13
Item No.11
pk

W.P.A. No. 9545 of 2023

**Rafikul Islam
Versus
State of West Bengal and others**

Mr. Samim Ahammed,
Mr. Aniruddha Singha,
Ms. Gulsanwar Pervin

...For the petitioners.

Mr. Jayanta Samanta,
Mr. Kartick Chandra Kapas

... for the State.

1. The petitioner was absent from duties from 5th June, 2014 in Radhargachh F. P. School under the DPSC, Uttar Dinajpur. Upon the petitioner claiming to join the school back on 5th October, 2018, the respondents had referred the matter to the West Bengal Board of Primary Education for a decision of the teachers on the petitioner's service.
2. The D.I. of Schools (PE) has also referred the same issue to the Commissioner of School Education on 02.03.2020. The petitioner appears to have gone into complete silence thereafter until 2023.
3. This Court is of the prima facie view that the petitioner may have abandoned service.
4. This Court directs the Commissioner of School Education and the West Bengal Board of Primary Education to take an appropriate decision insofar as the petitioner's service is concerned and pass

orders within a period of three months of communication.

5. The writ petition is disposed of.
6. There will be no order as to costs.
7. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)