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Ct. 18
13.05.2024

W.P.A. 10841 of 2024

**Sri Mrinmoy De
Vs.
The State of West Bengal & Ors.**

Mr. Lakshmi Kanta Pal,
Mr. Bandhu Brata Bhula ... For the petitioner.

Mr. Biswajit De,
Md. Abu Reja Jaglul Kabir ... For the State.

Affidavit-of-service filed on behalf of the petitioner
be kept with the record.

The petitioner is the Teacher-in-Charge of Ranaghat
Bharati High (HS) School, District – Nadia.

On the retirement of the concerned teacher, the
post of Assistant Headmaster (AHM) became vacant.
The Managing Committee of the school with prior
permission of the District Inspector of Schools (SE),
Nadia, the respondent no. 3 herein initiated a
selection process to fill up the said post.

The petitioner participated in the said selection test
and ranked first in the Merit list prepared on the basis
of the result of the said selection test.

The proposal of the school authority for approval of
appointment of the petitioner in the said post of AHM
is pending since October, 2023.

Mr. Biswajit De, learned advocate for the State files
the instruction of the respondent no.3 dated April 30,
2024, let it be kept with the record.

It appears from the said instruction that since one of the unsuccessful candidates has raised some objections regarding the said selection process, the said approval has not been accorded yet, but the decision on the issue cannot be deferred on the said ground.

The Additional District Inspector of Schools (SE), Ranaghat, District – Nadia, the respondent no. 4 herein, being the concerned authority, is obliged to dispose of the pending prayer of the school authority for approval of appointment of the petitioner as AHM, after taking all relevant factors into consideration.

The said respondent is therefore directed to dispose of the said prayer in accordance with law, within a period of four weeks from the date of communication of this order.

W.P.A. 10841 of 2024 is disposed of with the above terms without any order as to costs.

Since no affidavit has been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Biswajit Basu, J.)