

WPA 13626 of 2021

**Asikul Islam
Vs.
State of West Bengal & Ors.**

**Mr. Baidurya Ghosal,
Mr. Saikat Mukherjee.
... for the petitioner**

1. Mr. Baidurya Ghosal, learned counsel is appearing for the petitioner. None appears for the respondents in spite of service of notice.
2. Let the affidavit-of-service and the copy of notice served lately be taken on record.
3. The writ petitioner is the library assistant/Group-D staff of the respondent school/respondent no. 4, who is aggrieved due to the alleged inaction by the respondent no. 2/the District Inspector of Schools, (Secondary Education), Murshidabad to grant approval of his service.
4. Mr. Ghosal, has referred to an order of this Court dated May 22, 2014 passed in W.P. No. 15519 (W) of 2014 (Asikul Islam vs. The State of West Bengal), to submit that the Court by dint of the same directed the concerned respondent as mentioned above, to approve appointment of the writ petitioner as a regular library attendant (Group-D staff) in the vacant post within a stipulated period of time.
5. Mr. Ghosal has further indicated that thereafter, several communications have been made towards the

said respondent no. 2 for compliance of the order as above but in vain.

6. Therefore, the writ petitioner has been compelled to file the present case to seek the relief that the respondent no. 2 may be directed to consider his representation dated July 24, 2020, for approval of appointment of the petitioner as a regular library attendant (Group-D staff) in the school.
7. Mr. Ghosal has further indicated that the writ petitioner is otherwise eligible for the said post in terms of qualification as well as experience.
8. The previous order of the Court in W.P. No. 15519 (W) of 2014 (Asikul Islam vs. The State of West Bengal) is noted.
9. Evidently, in spite of the direction of the Court, the concerned respondent has not taken any steps in this regard, till date.
10. In view of the petitioner's adequate qualification, educational and otherwise and the previous direction of the Court, there should not have been any impediment for the respondent no. 2 to grant approval as regards the service of the writ petitioner in the said post.
11. Upon such observation, it is found proper to dispose of the present writ petition with the directions that the representation of the writ petitioner dated July 24, 2020 be disposed of immediately by the respondent no. 2 by dint of a reasoned order.
12. The respondent is directed to grant opportunity of hearing to the writ petitioner before disposing of his

application as above and also consider the relevant documents, if necessary.

- 13.** The above exercise shall be concluded by the concerned respondent no. 2 positively within a period of four weeks from the date of communication of copy of this order.
- 14.** Since no affidavits are called for, allegations made in the writ petition, are deemed to have been denied by the respondents.
- 15.** This writ petition being WPA No. 13626 of 2021 is disposed of, along with the pending applications, if any.
- 16.** Urgent Photostat certified copy of this order duly downloaded from the official website of this Court upon compliance all legal formalities.

(Rai Chattopadhyay, J.)