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28.02.2024
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 28422 of 2023

**Smt. Subhra Chakrabarty Saha
-versus
The State of West Bengal & Ors.**

**Mr. Partha Sarkar,
Mr. Abhijit Basu.
...For the Petitioner.**

Affidavit-of-service filed in Court today is taken on record.

None appears on behalf of the State respondents in spite of service.

This writ petition has been filed by the petitioner, who happened to be a Siksha Sahayika and stated to have worked for nearly 6 years.

The Director of Local Bodies issued a memorandum signed by him refusing to continue her services on the ground that she was underaged.

Admittedly she worked for many years and it transpires that similarly circumstanced persons approached this Court and the Director was directed to consider their cases afresh.

The petitioner should be treated with equality so far as similarly circumstanced persons are concerned and the authority shall take into account the aforesaid

aspect of considering her case upon her attaining majority. It is submitted that the petitioner is 51 years.

The Director of Local Bodies is, therefore, directed to reconsider the case of the petitioner afresh in the light of the observations recorded hereinabove and in terms of the guidelines dated 30th May, 2000 specially Clause 7 (ka) within one month from the date of the communication of this order and shall communicate his decision forthwith to the petitioner. The consideration will be in accordance with law and this Court has not decided the merits of the claim of the petitioner.

The writ petition is thus disposed of.

Since the writ petition is disposed of without calling for affidavits, the allegations contained in the instant writ petition shall not be deemed to have been admitted by the respondents.

There will be no order as to costs.

This order is being passed pursuant to several orders which have already been passed by the respective co-ordinate Benches of this Court with similar causes of action in respect of similarly situated persons.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)