

10.06.2024
Ct. No. 2
Item No.38
Cp

Calcutta High Court
In the Circuit Bench at Jalpaiguri

WPA No. 183 of 2024

Devi Majumder (Mondal) @ Debi Mandal
Vs.
The State of West Bengal and Ors.

Ms. Supriya Singh

... for the petitioner.

Mr. Kumar Shantanu
Ms. Bedashruit Bose

.....for the respondent nos. 5& 6.

Mr. Momenur Rahman
Mr. Kumar Shantanu

...for the respondent nos. 1 to 4 and 9.

1. The petitioner was allegedly engaged as a Sahayika in Ankur Sishu Siksha Kendra at Pukhurigram under Kumargram Block. The petitioner claims to have discharged her duties for a while. By a letter dated June 4, 2005, the Secretary of the Sishu Siksha Kendra refused to renew the engagement of the petitioner and the petitioner was allegedly terminated. The petitioner was also asked to collect her honorarium.
2. Consequent upon increase of the students sometime in 2005, it is alleged that an agreement was executed between the petitioner and the Secretary of the Sishu

Siksha Kendra. In terms of such agreement, a letter of engagement was also issued. However, the petitioner was not allowed to join as the 4th Sahayika by the Sabhapati, Kumargram Panchayat Samiti, despite requests by the Secretary of the Sishu Siksha Kendra. Aggrieved, the petitioner filed a representation before the concerned authority which is Annexure P-11 at pages 36 to 39 of the writ petition.

3. The petitioner further submits that even in 2014, an advertisement was published for engagement of Sahayikas and thus the contention of the respondents that the engagement of Sahayikas had been stopped on and from 2010 was not correct.
4. Mr. Rahaman, learned advocate appearing for the State respondents and Mr. Shantanu, learned advocate appearing for the Zilla Parishad, submit that after 2010, engagement of Sahayika had been stopped by the government vide various notifications. Thus, the Secretary of the Sishu Siksha Kendra did not have any power to request re-engagement of the petitioner.
5. The writ petition is disposed of with a direction upon the Block Development Officer, Kumargram Block to dispose of the representation dated December 20, 2023, in accordance with law, upon hearing the petitioner and upon taking into consideration the

relevant circulars and notifications of the State of West Bengal with regard to engagement of Sahayika.

6. A reasoned order shall be passed within a period of two months from the date of communication of this order.

7. The writ petition is accordingly disposed of.

8. All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)