

Item No.36
14.06.2024
Court. No. 2
GB

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION*

WPA 1151 of 2024

Jyotirmay Roy
VS
The State of West Bengal & Ors.

*Mr. Sakti Pada Jana,
Mr. Debajit Kundu*

...for the Petitioner.

*Mr. Pretom Das,
Ms. Patralekha Choudhury*

...for the State.

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

The petitioner wants to pursue a Ph.D course and improve his education. The Head of the Institution where the petitioner is serving, has approved such request of the petitioner. The rules require the President of the West Bengal Board of Secondary Education to grant a formal permission.

It is submitted that an undertaking has been given by the petitioner, inter alia, that without disturbing the usual time table and without causing any financial loss to the school, the course will be undertaken by the petitioner. The petitioner also submits that he will not claim any monetary benefit by praying for enhancement scale of pay.

Under such circumstances, this Court does not find any reason why the Board should have kept the matter pending for so long. The President, West Bengal Board of Secondary Education is directed to decide the matter upon taking into consideration the specific undertaking of the petitioner and the recommendation of the Head of the Institution, within ten days from date. It is expected that the case of the petitioner shall be considered in its proper perspective and in accordance with the rules, as the petitioner has specifically undertaken not to disturb the usual class routine and also not claim any financial benefit if such higher qualification is acquired by him.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)