

04.12.2024
Item 12, Ct.2
Sandip

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

WPA 2476 of 2024

Madhabe Das Ghosh Chowdhuri

-Vs-

The State of West Bengal & Ors.

Mr. Firdous Samim (VC),
Ms. Gopa Biswas,
Mr. Debjit Kundu,
Mr. Shubhankar Dutt,
Ms. Somdutta Patra
...for the petitioner.

Ms. Pratusha Dutta Chowdhury
...for the State.

Mr. Debasish Mukhopadhyay,
Ms. Madhushri Dutta,
Mr. Partha Choudhury
...for the respondent nos. 7 & 8.

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

The petitioner, in the year 2008, was engaged as
Sahayika in the Bidyasagar Shishu Shiksha Kendra ('the said
SSK' in short) under Mal Municipality but her such
engagement was not sanctioned by the Directorate of Local
Bodies, Government of West Bengal as she had yet to
complete the age of 40 years, as required for such
engagement.

The petitioner, even thereafter, had continued to
serve the said SSK as Sahayika and is still serving as such.
She, on completion of 40 years, had again applied for the
said engagement; she, in the meantime, has lost her husband
and is now living with her two minor children.

The post since is still lying vacant, the
Municipality has allowed her present application and has
sent their proposal for sanction to Chairperson, Directorate

of Local Bodies, Government of West Bengal, the respondent no. 5 herein, which is pending at the said end.

The remuneration of the petitioner would be borne by the said Municipality from its own fund; in this backdrop, there cannot be any plausible ground to delay the sanction of engagement of the petitioner as Sahayika of the said SSK.

The respondent no. 5 is directed to the necessary sanction in favour of the petitioner, immediately; preferably within a period of **two weeks** from the date of communication of this order.

The authorities of the Mal Municipality, upon receiving the sanction as aforesaid, shall take forward steps to engage the petitioner as Sahayika in the said SSK.

W.P.A. 2476 of 2024 is disposed of with the above direction(s) 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.

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.)