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04.03.2025
Ct. No. 18
(ARPAN)

W.P.A. 1122 of 2025

**Goutam Mitra
Vs.
The State of West Bengal & Ors.**

Mr. Jayanta Narayan Chatterjee, Sr. Adv
Mr. Supreem Naskar
Ms. Jayashree Patra
Ms. Pritha Sinha

...for the Petitioner

Mr. Sirsanya Bandopadhyay
Ms. Tapati Samanta
Mr. Arindam Ghosh

...for the State

Ms. Koyeli Bhattacharyya
Mr. Bibek Dutta
Ms. Keya Panja

...for W.B.B.S.E

Mr. Kamal Mishra
Ms. Paushali Das

...for Respondent No.8

Report in the form of affidavit affirmed on 14th February, 2025 in terms of the order dated 22nd January, 2025 is filed on behalf of District Inspector of Schools (S.E.), Purba Medinipur being respondent no.5 and same is taken on record.

From the said report it appears that in presence of Assistant Inspector of Schools (S.E.), Contai Sub-Division, Purba Medinipur petitioner resumed duty being Assistant Teacher of Contai High School, Purba Medinipur on 24th January, 2025 and he discharged duties without any hindrance.

It is also submitted by Mr. Chatterjee, learned Senior Advocate representing the petitioner today that after resumption of duty, petitioner has been discharging

duty from 24th January, 2025 without any resistance from any end.

During course of hearing attention of this Court has been drawn to a letter dated 22nd June, 2024 issued by the Headmaster of the school directing the petitioner not to discharge duty by attending class and a show-cause letter dated 22nd June, 2024 issued against the petitioner making certain allegations.

It is submitted by the learned advocate representing West Bengal Board of Secondary Education that the school authority in terms of extant rules has no authority to issue show-cause against a teaching or non-teaching staff of the school. School authority can intimate misconduct of any teaching or non-teaching staff of the school to the concerned District Inspector of Schools (S.E.) as well as West Bengal Board of Secondary Education for taking appropriate steps in accordance with law.

It is also found that petitioner has resumed duty with effect from 24th January, 2025. Therefore, both the aforesaid letters dated 22nd June, 2024 which are at pages 45 and 46 of the writ petition stand set aside.

Respondent authorities are directed to permit the petitioner to continue his service as Assistant Teacher of the school without any disturbance provided

no appropriate order is passed which does not permit the petitioner to function as Assistant Teacher of the school.

The petitioner shall also be at liberty to take steps in accordance with law if he has any grievance against the school authority based on letters which he has already submitted before the concerned respondent authorities.

With the above observations, writ petition stands disposed of.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)