

WPA 7454 of 2021

Sampa Malick

Vs.

The State of West Bengal & Ors.

**Mr. Subir Sanyal, Id. Sr. Counsel,
Mr. Ratul Biswas,
Mr. Kaushik Chowdhury,
Ms. Soumoyadipa Kanu,
Mr. Sourojit Mukherjee,
Mr. Durlav De,
Mr. Trijit Mitra.**

... for the petitioner

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

... for the WBBSE

**Mr. Malay Kumar Singh,
Mr. Rajaram Banerjee.**

... for the State

**Mr. Ekramul Bari,
Sk. Imtiaj Uddin.**

**... for the school authority/
Respondent nos. 7 & 8**

1. The writ petitioner in the instant case has challenged an order of suspension of her issued by the School Authority dated September 30, 2019.
2. The further prayer of the writ petitioner in the instant case is for allowing her to join in duties by recalling/withdrawing an order of suspension and for payment of arrear amount of salary and allowances with other consequential service benefits.
3. Parties are represented.
4. Mr. Ekramul Bari, learned counsel appearing for the school authority has relied on certain documents today, in support of his submission that, by dint of an order of this Court, the writ petitioner has already

been allowed to resume her duties with effect from November 14, 2022. Also that since thereafter, the writ petitioner has been drawing salary as per ROPA-2019 duly and regularly.

5. According to Mr. Bari, the present writ petition would not be relevant any further since the grievance of the writ petitioner has already been redressed.
6. Heard the learned counsels for the respective parties and perused the records as well as documents submitted by Mr. Bari, in Court today, it appears that the petitioner has been suspended from the Board with effect from September 30, 2019.
7. However, subsequently with effect from November 14, 2022, she has been allowed to join her duties and since thereafter, she has been working in the school, drawing salary, duly and regularly.
8. The Court finds that the order of suspension dated September 30, 2019 has lost its force, pursuant to the subsequent actions taken up by the school authority, allowing the writ petitioner to join in the school and allowing her due pay and salary.
9. Therefore, the Court finds it proper to dispose of the present writ petition with the direction that the impugned order of suspension dated September 30, 2019 is quashed.
10. The documents filed by Mr. Bari, in Court today, be taken on record.
11. Obviously, the School Authority and other respondent Authorities shall act in accordance with law, consequent upon the order of quashment of the

suspension order of the petitioner, as mentioned above by releasing all dues to the writ petitioner, as stands due and outstanding to her, in accordance with law.

- 12.** Since no affidavit is invited, the allegations contained in the petition are deemed to have been denied by the respondents including the private respondents.
- 13.** With the above observations and directions, the writ petition being No WPA 7454 of 2021 is disposed of, along with the pending applications, if any.
- 14.** Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Rai Chattopadhyay, J.)