

Item no. 8 (DL)
12.09.2025
Court No. 18
(Suvendu)

W.P.A. 17278 of 2025

Keshab Chandra Mondal
Vs.
The State of West Bengal & Ors.

Mr. Keshab Chandra Mondal
... petitioner (in person)

Mr. Tapas Kumar Bhattacharya
Mr. Avirup Bhattacharya
...for the respondent nos. 2 & 3

Mr. Biswabrata Basu Mallick, Ld. AGP
Mr. Daipayan Basu Mallick
....for the State

1. Affidavit of service is taken on record.
2. Matter is heard in presence of petitioner who is appearing in person and learned advocates representing State respondents and authorities of Langulia High School (HS), Birbhum (hereinafter referred to as “second school”) being respondent nos. 2 and 3.
3. Petitioner was initially appointed as Assistant Teacher on 27th February, 2006 in Mathpalsa High School (HS), Birbhum (hereinafter referred to as “first school”). On being selected as Headmaster he joined the post of Headmaster in second school on 18th July, 2019. Petitioner was on lien for a period of two years while he joined the post of Headmaster in the second school. Petitioner functioned as Headmaster from

18th July, 2019 to 07th December, 2020. Thereafter petitioner went back to first school and joined the post of Assistant Teacher and he is receiving salary in connection with his service as Assistant Teacher in first school.

4. Grievance of the petitioner is though he received salary for the period from 18th July, 2019 to 7th December, 2020 as Headmaster of second school but for discharging duty as Headmaster of second school from 18th July, 2020 to 7th December, 2020 necessary approval has not been accorded by the District Inspector of Schools (SE), Birbhum being respondent no. 4. Petitioner prays for according approval by respondent no. 4 for the period from 18th July, 2020 to 7th December, 2020 as Headmaster.
5. Mr. Basu Mallick, learned Additional Government Pleader on instruction submits that petitioner on tendering resignation from the post of Headmaster in second school joined the post of Assistant Teacher in first school on 8th December, 2020. Therefore, petitioner is not entitled to get approval as Headmaster for the period from 18th July, 2020 to 7th December, 2020.
6. However, aforesaid submission made on behalf of State respondents is not corroborated by the submission made on behalf of respondent nos. 2 and 3.

7. It is submitted on behalf of respondent nos. 2 and 3 that petitioner was on lien for a period of two years and he functioned as Headmaster from 18th July, 2019 to 7th December, 2020 in second school and thereafter went back to first school and joined the post of Assistant Teacher. Second school authority permitted the petitioner to get release order which facilitated the petitioner to join the post of Assistant Teacher in first school on 8th December, 2020.
8. Therefore, the submission made on behalf of respondent nos. 2 and 3 offers adequate explanation in support of the case made out by the petitioner that petitioner was on lien for a period of two years for rendering service in the post of Headmaster in second school and joined the post of Assistant Teacher in the first school on 8th December, 2020 and it is not a case of resignation simplicitor by the petitioner from the post of Headmaster in second school.
9. Hence, submission made on behalf of State respondent is found to be inappropriate.
10. It is submitted on behalf of the petitioner that salary for the period from 18th July, 2020 to 7th December, 2020 while petitioner discharged duty as Headmaster of second school was already paid and only approval is required.
11. Respondent no. 4 is directed to accord approval in favour of the petitioner being Headmaster of second

school for the period from 18th July, 2020 to 7th December, 2020, within a fortnight from date of communication of this order.

12. Writ petition stands disposed of.
13. There shall be no order as to costs.
14. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)