

14.01.2025
Court No.18
Item No.12
CP

WPA No. 30901 of 2024

Sujata Bhattacharya
Vs.
The State of West Bengal & Ors.

Mr. Rahul Karmakar
Mr. Kalyan Sengupta
.... for the petitioner.

Mr. Supriyo Chattopadhyay
Mr. Suman Dey
.....for the State.

Mr. Shamim ul Bari
Ms. Jhilik Singha
.....for the respondent nos. 5,6 & 7.

Affidavit of service filed on behalf of the petitioner
is taken on record.

By presenting this writ petition challenge has been
thrown to the notice dated September 28, 2024, issued
by the Secretary of Sri Ramakrishna Sarada Peeth
Girls' High School (H.S.), District – Jhargram,
(hereinafter referred to as 'the said school'). At the same
time, prayer is also made to maintain the leave account
of the petitioner being an Assistant Teacher of the said
school in terms of the order of the District Inspector of
Schools (S.E.), Jhargram, dated June 28, 2024.
Allegation has also been made that the school authority
is not allotting classes to the petitioner which, at this
stage, the school authority is not authorised to.
Petitioner prays for maintenance of leave account

pursuant to the order of the District Inspector of Schools (S.E.), Jhargram, dated June 28, 2024 and cancellation of show cause notice.

The case made out in this writ petition is opposed by the learned advocate representing the said school authority. It is submitted that to a certain extent steps have been taken by the said school authority to upgrade the leave account of the petitioner pursuant to the order of the concerned District Inspector of Schools (S.E.) dated June 28, 2024.

On perusal of the impugned notice dated September 28, 2024, it appears that allegation has been made against the petitioner based on reports that while taking Physical Education classes petitioner is inflicting physical and mental pain and torture on the students who are attending those classes. On receipt of such notice dated September 28, 2024, petitioner responded vide letter dated October 1, 2024, which is at page 53 of the writ petition.

It is submitted on behalf of the petitioner that certain reports are referred to in the notice dated September 28, 2024 and same were not supplied to the petitioner. As a result whereof, petitioner could not appropriately respond to the said notice dated September 28, 2024.

Having perused the notice dated September 28, 2024, this Court finds substance in the submission

made on behalf of the petitioner that based on certain reports allegations have been made against the petitioner. The Secretary of the said school being respondent no. 6, is directed to supply the materials including the reports based on which notice dated September 28, 2024 was issued against the petitioner by 10 days from the date of communication of this order.

On receipt of such materials from the respondent no. 6, petitioner shall submit a comprehensive reply by fortnight thereafter to the respondent no. 6. If reply is offered by the petitioner within the aforesaid time after receiving materials and reports from the respondent no.6, the said school authority shall take decision within fortnight thereafter on receipt of reply to the notice dated September 28, 2024.

Till decision is taken by the said school authority, petitioner shall be allotted classes regularly excepting Physical Education classes. School authority is also directed to upgrade the leave account of the petitioner based on decision taken by the District Inspector of Schools (S.E.), Jhargram, dated June 28, 2024, within eight weeks from the date of communication of this order.

While doing so, if school authority finds any clarification is required school authority shall approach the concerned authority of the West Bengal Board of

Secondary Education to take further decision with regard to leave which has already been sanctioned by the District Inspector of Schools (S.E.) concerned.

Accordingly, the writ petition is disposed of.

There shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, shall be furnished to the parties, at an early date upon completion of usual formalities.

(Saugata Bhattacharyya, J.)