

S/L 6
08.01.2025
Court. No. 3
Sourav

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

WPA 2702 of 2024

**Sunil Chandra Eshore & Anr.
Vs.
The State of West Bengal & Ors.**

Ms. Suman Sehanabis (Mandal)
Mr. Salok Sah
Ms. Anwesha Chakraborty

...for the petitioners.

Ms. Bedashruti Bose
Ms. Rima Sarkar

...for the State.

1. The affidavit-of-service as filed in Court today on behalf of the petitioners is taken on record.
2. Both the petitioners and the respondent/State and its functionaries are represented by their respective learned advocates.
3. By filing the instant writ petition, the writ petitioner has prayed for issuance of appropriate writ against the respondents/authorities, more specifically, against the respondent no. 4 directing him to approve the recommendation as made by the SDO, Sadar, Cooch Behar under cover of his Memo No. 3703 dated 12.09.2017/20.11.2017 whereby and whereunder the writ petitioners' names have been recommended for appointment/absorption at Akrahat Dishari Handicapped School and Training Centre, Akrahat, Cooch Behar.
4. In course of her submission, Ms. Sehanabis, learned advocate appearing on behalf of the writ petitioners

draws attention of this Court to Page No. 21 of the instant writ petition being a copy of a memo dated 17.02.2009 whereby and whereunder, the aforementioned School and Training Centre obtained sanction of sponsorship from the office of the respondent no. 4. It is submitted that subsequently on 27.03.2012, six organizing teaching and non-teaching staff's approval for appointment was granted by the department of Mass Education, Extension and Library Services, however, subsequently, by an order dated 12.09.2012, the appointment of one Sri Gobin Barman was cancelled by the respondent/authority.

5. It is further submitted by Ms. Sehanabis that the present writ petitioners are also organizing staff of the said School and Training Centre under the category of Clerk-cum-Typist and Cook respectively and pursuant to a memo dated 31.03.2017 as issued by the respondent no. 4, the SDO Sadar, Cooch Behar under cover of its memo dated 12.09.2017/20.11.2017 recommended the names of the present two petitioners along with others for appointment in the post of Clerk-cum-Typist and Cook respectively which would be evident from Page No. 32 being Annexure P-9 of the instant writ petition.
6. It is further submitted by Ms. Sehanabis that despite receiving such recommendation dated

12.09.2017/20.11.2017 from the SDO, Sadar, Cooch Behar, the respondent no. 4 has not taken any decision and thus, the writ petitioners found no other alternative but to approach this Court by filing the instant writ petition for the relief as mentioned in the prayer portion of the writ petition.

7. Ms. Sarkar, learned advocate appearing on behalf of the respondents/State submits before this Court that the instant writ petition may be disposed of by directing the appropriate authority to take a decision on the basis of the recommendation dated 12.09.2017/20.11.2017 as made by the SDO.
8. On perusal of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, this Court is satisfied that sufficient materials have also been placed before this Court that the aforementioned School and Training Centre had obtained sanction of sponsorship. Sufficient materials have been placed before this Court that the present two petitioners are organizing staff of the said School and the petitioner no. 1 is working as Clerk-cum-Typist and the petitioner no. 2 is working as a Cook in the said School and Training Centre from the very beginning, more specifically, from the inception of the said School and Training Centre.
9. Materials have been placed before this Court that as on this day five organizing staff both teaching and

non-teaching staff have got their approval for appointment pursuant to the memo dated 31.03.2017 as issued by the respondent no. 4. The SDO has recommended the names of the writ petitioners along with three other persons for different posts.

10. This Court thus finds no reason as to what prevented the respondent no. 4 for not taking decision as on this day though the necessary recommendation of the SDO, Cooch Behar has been received by him on 20.11.2017.
11. In view of such while disposing the instant writ petition, this Court thus directs the respondent no. 4 i.e., The Director of Mass Education Extension, Government of West Bengal to take an appropriate decision on the basis of the recommendation dated 12.09.2017/20.11.2017 as made by SDO, Cooch Behar positively within a month from the date of communication of this order and to communicate its decision to the authority of the Akrahat Dishari Handicapped School and Training Centre, Akrahat, Cooch Behar as well as the present writ petitioners by Speed Post.
12. With the aforementioned observations, the instant writ petition being **WPA 2702 of 2024** is thus disposed of.
13. Ms. Sarkar, learned advocate appearing on behalf of the respondents/State and its functionaries is hereby

requested to communicate the server copy of this order to the respondent no. 4 for his due compliance.

14. The respondent no. 4 is directed to act on the server copy of this order.
15. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)