

30.03.2026
Sl. No.66
Ct. No.14
gd

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA/15069/2025
KAUSHIK ACHARYA
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Sougata Mitra
Mr. Nikhil Kr. Gupta
Ms. Soma Chakraborty
Mr. Subhadeep Maitra

...for the Petitioner.

Mr. Bikash Goswami
Ms. Sumita Sen

...for the State.

1. By the present writ petition, the petitioner seeks direction upon the respondent authorities to allow the petitioner to join his service as an Assistant Teacher of Patrahatu Primary School under Jhalda-II Circle, District-Purulia.
2. The petitioner contends that while discharging his functions as Assistant Teacher of Patrahatu Primary School under Jhalda-II Circle, District-Purulia, the petitioner fell sick and was diagnosed with suffering from Tuberculosis. For such reason, the petitioner could not attend his school on and from 1st November, 2007 to 30th November, 2007. Subsequent thereto, the petitioner was allowed to join on 6th August, 2009. The petitioner again fell sick and could not attend his school on and from 18th January, 2012 to 18th November, 2013. The petitioner submitted an

application for sanctioning of leave. However, the same was not considered. Thereafter the petitioner filed a writ petition being WP 5836(W) of 2019.

3. The aforesaid writ petition was disposed of on 28th March, 2019 with the following direction:

“Considering the submissions as advanced by the learned advocates for the parties and after perusing the record, I direct the Assistant Secretary, Government of West Bengal (Elementary Education Branch), Kolkata to consider and take a decision in respect of the petitioner’s pending application dated 23rd July, 2018 forwarded by the Chairman, District Primary School Council, Purulia within eight weeks from the date of communication of this order and thereafter communicate the decision to the petitioner within one week.”

However, till date no decision has been taken. Hence, this writ petition.

4. Mr. Sougata Mitra, learned advocate appearing for the petitioner submits that direction be issued upon the appropriate authority for taking a decision in light of the order passed by this court in the earlier writ petition being WP 5836(W) of 2019.
5. Mr. Bikash Goswami, learned advocate appearing for the State concedes to such submission.
6. In view of the above, respondent no.2, Assistant Secretary (Elementary Education Branch), Government of West Bengal is directed to take a decision in terms of the order of this court passed in WP 5836(W) of 2019 within a period of twelve weeks from the date of communication of this order. The decision shall be communicated to the petitioner within a week of passing an order thereof.

7. Learned advocate for the petitioner is directed to communicate this order to the respondent no.2, Assistant Secretary (Elementary Education Branch), Government of West Bengal for necessary action.
8. With the above direction, the writ petition being **WPA 15069 of 2025** stands disposed of.
9. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
10. Interim order, if any, stands vacated.
11. All connected applications, if any, stand disposed of.
12. There shall be no order as to costs.
13. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
14. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)