

08.06.2026
Item Nos.50 & 51
Ct. No. 6
SS

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

**WPA 1292 of 2021
CAN 1 of 2022**

**Awesh Rai
Vs.
The Gorkha Land Territorial
Administration & ors.**

With

WPA 52 of 2021

**Mani Kumar Pradhan & ors.
Vs.
The Gorkha Land Territorial
Administration & ors.**

Mr. Pritam Chowdhury (through virtual mode)
Mr. Subham Chanda
... for the petitioner

Ms. Supriya Singh
Ms. Shreyasi Roy
.... for the respondent-GTA

Re : **WPA 1292 of 2021**

1. This matter is appearing in the list along with WPA 52 of 2021.
2. The petitioner has sought for approval of appointment as a teacher.
3. Mr. Pritam Chowdhury, learned Advocate for the petitioner appearing through virtual mode submits that the instant writ petition and WPA 52 of 2021 were taken up analogously on 21st May, 2024 since the issues were identical. However, subsequently by order dated 30th September, 2024 the writ petition being WPA 52 of 2021 has been disposed of directing the

Executive Director, Education Department, Gorkhaland Territorial Administration to take a decision in respect of the prayer of the petitioners. He seeks that similar order be passed in the present writ petition being WPA 1292 of 2021 since the petitioner is similarly circumstanced.

4. Ms. Supriya Singh, learned Advocate appearing on behalf of the Gorkhaland Territorial Administration concedes such submission.

5. The writ petition being WPA 52 of 2021 has been disposed of vide order dated 30th September, 2024 with the following directions

*“3. Without going into the merits of the prayer of the petitioners at this stage, the instant writ petition is disposed of by directing the Executive Director, Education Department, Gorkhaland Territorial Administration to take a decision in respect of the prayer of the petitioners in the light of the judgment passed by the Hon’ble Division Bench of this Court on 13th September, 2024 in **MAT 172 of 2023 with CAN 2 of 2023 (The Gorkhaland Territorial Administration & ors. Vs. Nishul Chambling & ors.)***

4. An opportunity of hearing shall be granted to the petitioners and the school authority prior to taking a final decision in the matter.

5. A reasoned order shall be passed within a period of eight weeks from the date of communication of this order and the same shall be communicated to the petitioners immediately thereafter.

6. If the prayer made by the petitioners is allowed, then necessary consequential steps shall be taken by the respondent authority forthwith.”

6. It is not in dispute that the present petitioner in WPA 1292 of 2021 is similarly circumstanced with the petitioners in WPA 52 of 2021.

7. In line with the order passed in WPA 52 of 2021, the present writ petition being **WPA 1292 of 2021** is disposed of directing the Executive Director, Education Department, Gorkhaland Territorial Administration to take a decision in respect of the prayer of the petitioner upon giving an opportunity of hearing to the petitioner and school authority prior to taking a final decision in the matter.
8. A reasoned order shall be passed within a period of eight weeks from the date of communication of this order and the same shall be communicated to the petitioner within a week thereof.
9. Necessary consequential steps shall be taken in the event the petitioner is found to be eligible.
10. All connected applications, if any, stand disposed of.
11. Interim order, if any, stands vacated.
12. It is made clear that this Court has not gone into the merits of the writ petition.
13. There shall be no order as to costs.
14. Urgent certified copy of the order, if applied for, be given to the parties on compliance of all legal formalities.

Re : **WPA 52 of 2021**

15. Although the instant writ petition has been listed today, however, it appears that the writ petition

has already been disposed of vide order dated 30th
September, 2024.

(Bivas Pattanayak, J.)