

(2013) 01 CAL CK 0050
In the Calcutta High Court
Case No : Writ Petition 4111 (W) of 2012

Ranjit Prasad Roy

APPELLANT

Vs

The State of West Bengal and Others

RESPONDENT

Date of Decision : 11-01-2013

Acts Referred:

Citation : (2013) 01 CAL CK 0050

Hon'ble Judges : Debasish Kar Gupta, J

Bench : Single Bench

Advocate : Ekramul Bari and Mr. K.M. Hossain, for the Appellant;

Judgement

Debasish Kar Gupta, J.—None appears on behalf of the respondents when the matter is called on. No accommodation is prayed for. Let affidavit of service filed today be kept on record. This writ application is filed by the petitioner alleging inaction on the part of the respondent nos. 4, 5 and 6 in issuing letter of appointment in favour of the petitioner to the post of assistant headmaster of Barisha Shashibhusan Janakalyan Vidyapith, P.O. Barisha, Kolkata-700 008.

2. Having heard the learned Counsel appearing for the petitioner as also after considering the materials on record, I find that the District Inspector of Schools (S.E.), Kolkata, approved the panel of candidates for appointment to the post of the assistant headmaster under reference under his memo No. 935/M dated September 7, 2011 (page 22 of this writ application). After further perusal of the materials on record, I find that the headmaster informed the petitioner by a communication dated September, 20, 2011, that the above matter had been placed before the Managing Committee of the school in question for further decision in view of refusal of the respondent no. 5 to sign the letter of appointment of the petitioner to the post of assistant headmaster.

3. After considering the facts and circumstances of this case, I find that the panel of candidates for appointment to the post of assistant headmaster in question has already been approved by the competent authority. The name of the

petitioner appears at the top of the above panel as also in the order of approval. Therefore, the respondent no. 5 has no authority to refuse to sign the letter of appointment of the petitioner.

4. At the cost of repetition it is observed that none is present before this Court on behalf of the respondent nos. 4, 5 and 6 in spite of service of copies of this writ application upon them.

5. In view of the above, I direct the respondent no. 5 to issue letter of appointment in the post of assistant headmaster of the school under reference in favour of the petitioner within a week from the date of communication of this order.

6. This writ application is, thus, disposed of. There will be, however, no order as to costs. Urgent xerox certified copy of this order, if applied for, be given to the parties on urgent basis.