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ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO No.248 of 2026

DEBASIS JANA & ORS.
VS
STATE OF WEST BENGAL & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 21st July, 2026.

Appearance:-
Mr. Sakti Pada Jana, Adv.
...for the Petitioners.

Mr. Arkaprava Sen, Sr. Govt. Adv.
Mr. Nikhil Jhunjhunwala, Adv.
...for the Respondent nos. 1 to 3.

1. The petitioners are serving as Assistant Teachers in the Scottish Church Collegiate School, a Christian Minority Institution.
2. Reference has been made to a communication made by the Secretary of the School Committee of the school dated 20th October, 2020 addressed to the District Inspector Schools (S.E.), Kolkata praying for conversion of the approved posts from the Normal Section to the Higher Secondary section.
3. The communication specifies that the enrolment of the school from classes V to X is 1079 and in the Higher Secondary Section (session 2020-21) is 263. There is no need for three Assistant Teachers in Work

Education and Physical Education in the Normal Section. Three posts from the said section have been requested to be converted to the Higher Secondary Section.

4. Learned advocate for the petitioners submits that similar prayer of the school in respect of other teachers for conversion to different posts was accepted by the District Inspector Schools (S.E.), Kolkata in the year 2023 and seven teachers were placed in the Higher Secondary Section.
5. Prayer has been made by the petitioners to direct the District Inspector Schools (S.E.), Kolkata to take a decision on the request for conversion made by the school authority.
6. Upon hearing the submissions made on behalf of both the parties as it appears that a request by the school is pending consideration before the District Inspector Schools (S.E.), Kolkata, accordingly, without entering into the merit of the claims of the petitioners, the instant writ petition stands disposed of by directing the District Inspector Schools (S.E.), Kolkata to take a decision on the prayer of the school authority dated 20th October, 2020 strictly in accordance with law at the earliest, but positively within a period of eight weeks from the date of communication of this order. An opportunity of hearing shall be granted to all the necessary parties.
7. A reasoned order shall be passed and communicated to the school authority with a copy marked to the petitioners.
8. It is made clear that the Court has not entered into the merit of the claims of the petitioners and all points are left open to be decided by the

District Inspector Schools (S.E.), Kolkata at the time of consideration of the subject representation.

9. Learned advocate for the petitioners is directed to forward a copy of the subject representation dated 20th October, 2020 along with all other supporting documents to the District Inspector Schools (S.E.), Kolkata at the time of communicating the order of this Court.
10. In the event the District Inspector Schools (S.E.), Kolkata accepts the prayer of the school authority, then necessary consequential steps shall be taken by the authority in accordance with law.
11. The writ petition stands disposed of.
12. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

(AMRITA SINHA, J.)

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