

WPSS No. 365 of 2006

Hon'ble Kalyan Jyoti Sengupta, J.

Mr. D.S. Patni, Advocate for the petitioners.

Mr. Subhash Upadhyaya, Standing Counsel for the State.

Having heard learned counsel for the parties, I am of the view that in a matter of this nature, the respondents shall take a decision formally instead of expressing their opinion in the counter affidavit.

I, therefore, direct respondent No.1, Secretary, Education Department, State Government to treat copy of this writ petition as well as rejoinder affidavit as combined fresh representation of the petitioners, and upon serving notice to the petitioners, and any other concerned persons who might be affected by this order shall take afresh decision with reasons and in accordance with law. The petitioners shall be heard and will be allowed to place all material which they are wishing to produce. In the event, the petitioners inspite of notice do not turn up, nothing is to be decided. Decision has to be taken ignoring the plea taken in the counter affidavit. Entire exercise shall be completed within a period of three months from the date of communication of this order.

The writ petition is disposed of.

No order as to costs.

(K.J. Sengupta, J.)

Dated 31.12.2012

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