

S/L 09
09.07.2026
Court No.2
Susanta

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CIVIL APPELLATE JURISDICTION

FMA 22 of 2026
With
I.A. No. CAN 1 of 2026

Falguni Mandal
Vs.
State of West Bengal & Ors.

Mr. Ekramul Bari
Sk. Imtiaz Uddin
Ms. Rinka Chakraborty

...for the appellant.

Ms. Supriya Singh, Sr. Govt. Adv.
Ms. Rajni Singh Dev

...for the State.

1. Affidavit of service filed in Court today be kept with the record.
2. The order dated 26th February, 2026 passed by the learned Single Judge dismissing the writ petition filed by the petitioner is impugned in the instant writ petition.
3. By the order impugned, the learned Trial Court was pleased not to interfere with the reasoned order passed by the Director of Public Instructions on 30th October, 2023 rejecting the petitioner's prayer to grant benefit of the memorandum dated 23rd December, 2019.
4. The petitioner seeks benefit under the memorandum dated 23rd December, 2019 by which the Higher Education Department/College sponsored branch of the Government of West Bengal took steps for re-structuring the service conditions and other

benefits for Government approved Part Time teachers, Government approved Contractual Whole time teachers and Guest teachers, in any nomenclature, engaged in different Government/Government aided colleges in the State of West Bengal upto 13th July, 2019.

5. The case made out by the appellant is that she was engaged as a Guest lecturer in Bengali at a monthly consolidated honorarium of Rs.5,000/- (Rupees five thousand) only in September, 2011. She was again appointed as Guest lecturer in the same college in August 2012. She claims to be in service as Guest lecturer till the year 2015. Thereafter her service was not extended.

6. After the memorandum was issued by the Higher Education Department on 23rd December, 2019, she applied before the authority for approving her as guest lecturer in accordance with the said memo.

7. As her prayer was not considered by the authority, the appellant filed a writ petition before this Court being WPA 8191 of 2020 which stood disposed of by the Court on 25th November, 2020 directing the Director of Public Instructions to consider her prayer.

8. The Director of Public Instructions, in compliance of the order passed by the Court considered the prayer of the appellant and passed reasoned order on 30th October, 2023 rejecting her prayer.

9. The same was impugned in the writ petition being WPA 114 of 2024 which stood dismissed on 26th February, 2026 and the order passed by the Court is under scrutiny in the instant appeal.

10. We have considered the submissions made on behalf of both the parties and have perused the materials annexed to the application for stay.

11. It is evident that the service of the appellant was not continued after February, 2015. The appellant intends to take benefit of the memorandum dated 23rd December, 2019 wherein it has been specifically mentioned that the candidate should have been in service upto 13th July, 2019.

12. The same implies that only the candidate, who was in service on the particular date of 13th July, 2019, would be considered for grant of benefit under the memorandum dated 23rd December, 2019. The appellant was nowhere in service in the year 2019. Only on this ground, the prayer of the appellant stood rejected by the Director of Public Instructions and also by the learned Single Judge.

13. We do not find any error either on the part of the Director of Public Instructions or the learned Single Judge. As the requirement of the memorandum dated 23rd December, 2019 is that the candidate should have been in service upto 13th July, 2019, accordingly, the prayer of the appellant for consideration of her case in terms of the said memorandum cannot be allowed.

14. The Court is not inclined to interfere with the order passed by the learned Single Judge.

15. The appeal and the connected application fails and are hereby dismissed.

16. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

17. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)

(Ajay Kumar Gupta, J.)