

23.12.2020
SL No.11
Court No.12
(gc)

**MAT 233 of 2020
With
CAN 1 of 2020
(Old No: CAN 2865 of 2020)**

**Sampa Midya (Mondal)
Vs.
The State of West Bengal & Ors.**

(Via Video Conference)

Mr. Suprabhat Bhattacharya,
...for the appellant.

Mrs. Chaitali Bhattacharyya,
...for the State.

This appeal is arising out of an order dated 7th January, 2020 in a writ petition being W.P. No.7835 (W) of 2011 filed by the present appellant being aggrieved by the order dated 30th March, 2011 passed by the District Project Officer, Sarba Siksha Mission, South 24-Parganas. The said order was passed pursuant to a direction passed by the learned Single Judge on 21st February, 2011 in W.P. No. 19080 (W) of 2009.

It appears from record that the appellant participated in the selection process for the post of Para Teacher in the year 2004 and claimed to have been empanelled. The grievance of the petitioner before the learned Single Judge was that notwithstanding such empanelment, she was not granted appointment although another similarly placed candidate was granted appointment pursuant to the order of the year 2009.

From the documents disclosed to the writ petition, it appears that one Smt. Sipra Show was appointed as Para Teacher at Ashapur Free Primary School on the basis of an order passed on 24th March, 2009 in W.P. No.27601 (W) of 2009, she stood first in the selection test for the said post. The learned Single Judge has considered the fact that the appointment of Para Teachers in the State had reduced substantially during the period in question and by that time the present petitioner filed an application on 30th March, 2011. The Government came out with the Circular dated 27th March, 2010 by which a complete embargo was imposed with regard to the appointment of Para Teachers. Since the embargo imposed by the Government is not under challenge and the application is subsequent to the said embargo, we feel that the learned Single Judge was right in not interfering with the impugned order.

On such consideration, we do not find any reason to interfere with the impugned order.

The appeal and the application stand dismissed.

However, there shall be no order as to costs.

All parties are to act on a website copy of this order on the usual undertaking.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)