

06.08.2021
item no.4
s. bhar
Ct.No. 17

WPA 1030 of 2020

(via video conference)

Md. Zahid Hussain
-Vs-
The State of West Bengal & ors.

Mr. Chandan Dutta ...for the Petitioner

Mr. Bhaskar Prasad Vaisya, AGP

Mr. Sagnik Chatterjee... for the State Respondent

This is a case of pay protection. The petitioner before joining the present post, meant for pass graduate, worked in the post of Assistant Teacher as an Honours/Master degree holder. Thereafter, out of his own volition, he appeared in the examination conducted by the West Bengal Central School Service Commission and he applied for a post earmarked for the pass graduates. He was selected and thereafter joined in the said post and now working. Now he comes for pay protection which is absolutely frivolous claim. He has joined in the new post as a new service. There is no continuity of service which would be counted from the date of his joining in the earlier school where he had worked in a post for Hon's/Post graduate teacher. There is no illegality in the impugned order dated 1.10.2019.

This case does not have any merit and the matter is dismissed with a cost of Rs. 2000/- (Rupees Two thousand only) to be paid by the petitioner to the High Court Legal Services Authority.

(Abhijit Gangopadhyay, J.)

