

RVW 52 of 2021
with
IA NO. CAN 1 of 2021
in
MAT 222 of 2020
(Sakti Kumar Bardhan Vs. State of West Bengal & Ors.)

Mr. Bidhayak Lahiri

.....For the petitioner

Mr. Joytosh Majumder, Ld. Govt. Pldr.
Ms. Kakali Samajpati
Mr. Sayan Ganguly

.....For the State

Re : RVW 52 of 2021

This is an application for review of our order dated 8th February, 2021. The review application is filed on the ground that the petitioner never relied the letter of appointment dated 12th November, 1997 as his letter of appointment is dated 11th November, 1985 and having regard to the fact the Managing Committee by a resolution dated 15th July, 1987 appointed the appellant in placed and stead of Miss Maitreyee Mitra, who was a part-time teacher of Philosophy. The case of the appellant does not come within the purview of the School Service Commission Act, 1997.

This very point was considered by us in the order under challenge when we have noted that we were unable to accept the submission of the applicant for granting approval of appointment against any available vacancy in view of the fact that there was no sanctioned post to which

the writ petitioner was appointed at the relevant point of time.

The prayer of the writ petitioner was that his case may be considered by the authorities concerned against any sanctioned post.

The appointment of the applicant was initially made against the post where another candidate was appointed on part-time basis.

It is an admitted position that in 1987 in spite of the resolution of the Managing Committee, the concerned District Inspector of Schools did not give any approval. Accordingly, it is clear that initially applicant was not appointed against any sanctioned post.

We are not satisfied with the manner in which such application is made.

On such consideration, we are unable to review our order.

The review application is dismissed.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)