

22.11.2021
Item No.24
Ct. No.17
S.A.

WPA 13603 of 2021

Sanjoy Shil
-vs-
The State of West Bengal & Ors.

Mr. Taraprasad Haldar
...for the petitioner
Mr. Raja Saha
Mr. Biswabrata Basu Mallik
...for the State
Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
Ms. Debalina Chakraborty
...for the SSC
Mrs. Koyeli Bhattacharyya
...for the WBBSE

Learned advocate for the petitioner submits that the petitioner was appointed as a Group-D staff without remuneration in the school on May, 2005. The school has issued one letter dated 14.12.2005 appreciating the service of the petitioner in the school. Further, the school issued another certificate to the petitioner on 09.08.2021 stating that he is continuously working as a part-time Group-D staff in the institution since 15.12.2005 and his performance was satisfactory. Now, he has come before this Court for regularising of his service.

In compliance with the direction given by this Court on 10.11.2021, the District Inspector of Schools (S.E.), Nadia has filed one report in the form of an

affidavit affirmed on 17.11.2021. From Paragraph 7 of this affidavit, inter alia, it appears that the petitioner was issued one letter of appointment by the then Secretary of Managing Committee of the school on 14.12.2005 i.e. after enactment of West Bengal School Service Commission Act, 1997. For appointment in the said post, no prior permission was obtained from the District Inspector of Schools (S.E.), Nadia. There is no document showing advertisement for recruitment in the said post. No selection committee for recruitment was formed, no panel was prepared for the appointment and no panel was approved.

The said District Inspector of Schools has ultimately said that the petitioner is not at all entitled to get any relief from this Hon'ble Court.

A copy of this report in the form of an affidavit has already been served upon the learned advocate for the petitioner. But today, no objection has been raised in respect of such statement made by the District Inspector of Schools (S.E.), Nadia.

Accepting the facts placed before this Court through the said report in the form of an affidavit, I find no merit in the writ application and the same is dismissed.

No costs.

Urgent certified website copy of this order, if applied for, be made available to the parties upon compliance of the formalities.

(Abhijit Gangopadhyay, J.)