

16th November, 2021
(D/L No.14)
(SKB)

W.P.A. 14315 of 2021

Mithu Sarkar
Versus
State of West Bengal & Ors.

Mr. Amita Brata Roy,
Mr. B. P. Banerjee,
Mr. Abhradip Maity
... for the petitioner.

Mr. Bhaskar Prasad Vaisya,
Mr. Arindam Chattopadhyay
... for the State.

Affidavit of service filed in Court today be kept with
the records.

It is clear from the submissions made on behalf of
the petitioner that the petitioner is aggrieved by an order
passed by the Hooghly District Primary School Council on
25th October, 2019 by which the petitioner's candidature
for recruitment was rejected on the ground mentioned in
the said communication.

Learned counsel labours to show that the said order
should be treated as non est on the basis of a panel
which was disclosed to the petitioner pursuant to an
application filed under Right to Information Act.

However, as rightly contended by learned counsel
appearing for the State, there is no prayer in the writ
petition which challenges the order dated 25th October,
2019.

This court is of the view that without such prayer,
any prayer made in the present writ petition will not serve

the interest of the petitioner even if the court was agreed with the contentions made in on behalf of the petitioner. The prayers in the writ petition are essentially for appointment of the petitioner as a teacher of a primary school in the Hooghly District Primary School Council.

In view of the above, the W.P.A.14315 of 2021 is dismissed. The petitioner shall, however, be at liberty to file afresh with appropriate prayers.

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

(Moushumi Bhattacharya, J.)