

Form No. J(2)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction

Appellate Side

Present :

The Hon'ble Justice Abhijit Gangopadhyay

WPA 21447 of 2009

Suprana (Pal) Dey

-Versus-

The State of West Bengal & Ors.

For the petitioner	:	Mr. Bikram Banerjee
	:	Mr. Saikat Sutradhar
	:	
For the State	:	Mr. Supriyo Chattopadhyay
		Ms. Iti Dutta

Heard On: 03.08.2021 & 18.08.2021

Judgment On: 18.08.2021

Abhijit Gangopadhyay, J.

The petitioner has filed her case with the main prayer for setting aside the order passed by the District Project Officer on 23.06.2009 in compliance with an order passed by this court in W. P. 26404 (W) of 2008. For setting aside this order the petitioner has relied upon heavily on one panel prepared by the concerned school, namely, Bitra High School on 16th August, 2004 in response to one Notification for appointment of additional para teachers dated 13th July, 2004. This Notification of 13th July, 2004 is at page 35 of the writ application. The panel relied upon by the petitioner is at page 40 of the writ application. From the said Notification it is found that there was no post for the subject

Bengali. The petitioner was named in the panel for the subject Bengali. As there was no post in the Notification for the subject Bengali in August, 2007 and as her name was published in the panel pursuant to the said Notification of July, 2004 she could not be considered for the post of Bengali as an additional para teacher.

2. The petitioner actually lays claim on the basis of a subsequent declaration of two vacancies which she finds from one enquiry report as per order of the concerned Block Development Officer dated 18th July, 2011 prepared by L.E.O.M.E.E. (the full expression of this acronym is not known to this court). In the said enquiry report in paragraph 7 thereof there is a mentioning of two posts – one for Social Science and another for Bengali wherein two additional para teachers were selected in 2007. The petitioner was nowhere in the picture in the selection process of 2007. On the basis of one selection process initiated in 2004 (when there was no post for the subject Bengali), she cannot lay claim for a post without participating in the selection process. Therefore, her prayer for rejection of the consideration report of the District Project Officer dated 23rd June, 2009 cannot be passed and she cannot be directed to be appointed as an additional para teacher for the subject Bengali in the said school.

3. Supplementary affidavit filed by the petitioner containing the enquiry report as aforesaid be kept on record.

4. I do not find any merit in this writ application. This writ application is dismissed.

5. No costs.

(Abhijit Gangopadhyay, J.)

