

Court No. 2

23.09.2021

(Sl. 74)

(S. Banerjee/BP)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

WPA 674 of 2021

Sachin Powar
Vs.
State of West Bengal & Ors.

(Via Video Conference)

Mr. Debajit Kundu
Mr. Partha Pratim Sarkar
... for the petitioner

Mr. Subir Kumar Saha
Ms. Bedashruti Bose
... for the State

The writ petitioner claims that he was appointed as a teacher on 19th June, 2015 by the Dr. Radhakrishnan Junior High School, Rangit Mazuwa Busty, Darjeeling. The school was granted recognition on 18th July, 2018 by the West Bengal Council of High Secondary Education. The appointment or existence of any of the teachers does not find place in the letter granting recognition. The question of any approval by the District Inspector of Schools, therefore, does not and cannot arise.

The procedure for appointment of the petitioner does not follow any acceptable norms nor is it in conformity with the rules of the West Bengal Council of Higher Secondary Education.

In that view of the matter, the petitioner having been appointed voluntarily and contrary to

the rules, cannot claim any relief or any right against the State.

Reliance is placed by the petitioner on the decisions of coordinate benches of this court dated 29th December, 2014 in WP 34439(W) of 2014 (Arbind Rai & Ors. –Vs. The State of West Bengal & Ors.); and order dated 4th March, 2020 in WPA 349 of 2020 (Amina Rai –Vs.- The State of West Bengal & Ors.).

With due respect to Their Lordships, this court is unable to accept that the petitioner's case should be forwarded to the District Inspector of Schools for approval.

In that view of the matter, the petition stands dismissed.

(Rajasekhar Mantha, J.)