

16.11.2022
Court No.13
Item Nos.20 to 22
AP

WPA 1029 of 2015
With
IA NO: CAN 1 of 2021
Smt. Gita Rani Biswas (Mondal)
Vs.
The State of West Bengal and Ors.

With
WPA 1031 of 2015
Smt. Suniti Bala Howlader
Vs.
The State of West Bengal and Ors.

With
WPA 1033 of 2015
Smt. Rani Bala Mondal
Vs.
The State of West Bengal and Ors.

Mr. Mahadeb Sarkar
Mr. Bikash Chowdhury

... For the Petitioners.

Ms. Chaitali Bhattacharya
Mr. Kartik Chandra Kapas

... For the State.

Mr. Md. Sarwar Jahan

... For the Respondent No.5.

Respondent No.5 has filed a report in the form of affidavit, which is taken on record.

It appears that the petitioners were appointed as 'Sahayika' under the Sarva Shiksha Mission some time in the year 2002.

By a communication dated 12th December 2014, Block Development Officer, Gaighata discontinued the service of the petitioners with effect from 11th December 2014.

A report of the respondent No. 5 indicates that the petitioners' citizenship was not verified at the time of engagement.

It further appears that the Paschimbanga Rajya Shishu Shiksha Mission does not recognize any degree or diploma issued by any Board of Bangladesh. No Board of Education in the State of Bangladesh is approved by the Education Department, Government of West Bengal.

It appears that the petitioners were issued show-cause notice by the SDO and they were heard. No satisfactory reply or answer was forthcoming from the petitioners.

The respondent found that the initial engagement of the petitioners was itself based on an illegality (improper qualification), which makes their engagement void ab initio.

This Court does not see any infirmity of the order passed by the respondents.

For the reasons stated hereinabove, the writ petitions are hereby dismissed.

In view of the dismissal of the main writ petitions, connected applications, if any, shall also stand dismissed.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)