

25.07.2022
Court No.13
Item No.3
AP

WPA 4145 of 2009

Pradip Das
Vs.
State of West Bengal and Ors.

Mr. Rabindra Nath Chakraborty

... For the Petitioner.

Mr. Ram Mohan Pal

... For the State.

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

The petitioner claims regularization of service as a Group-D staff. The petitioner claims that he has worked for ten long years in Gede Sammilani High School (Co-educational), Nadia.

Reliance in this regard is placed on a decision of a Coordinate Bench of this Court dated 14th June 2013 in the case of ***Tapas Kumar Mukherjee Vs. The State of West Bengal and Ors.*** in ***WP No.18564(W) of 2004*** and a decision of Supreme Court in the case of ***State of Karnataka & Ors. Vs. M.L. Kesari & Ors.*** reported in ***AIR 2010 SC 2587.***

It appears from the records that the petitioner was recruited by the school without following any procedure and on casual basis.

This Court is of the view that the petitioner's engagement itself being contrary to rules, the same cannot confer any right on the petitioner for being regularized.

The decisions cited by the petitioner cannot have any manner of application in the fact of the case.

No relief, therefore, cannot be granted to the writ petitioner.

With the aforesaid observation, the writ petition shall stand dismissed.

Interim orders, if any, shall stand vacated.

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.)