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11.07.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 5597 of 2019

**Jinnatun Reba
-versus
The State of West Bengal & Ors.**

**Mr. Radhasyam Maiti,
Mr. Monoranjan Jana,
Ms. Mitali Jana..
...For the Petitioner.**

**Mr. Md. Sarwar Jahan.
...For the Respondent No.9.**

The petitioner was engaged in the post of Sahayika in the year 2002 but due to her ill health she tendered resignation in the year 2007 and the same was accepted by the authority concerned.

Thereafter, the petitioner claims that, fresh agreement was entered into between the Managing Committee of the Shishu Shiksha Kendra and the petitioner in the year 2009.

The petitioner claims that she is working in the said Shishu Shiksha Kendra since 2011 onwards.

The petitioner has filed the instant writ petition praying for a direction upon the respondent authorities to release her unpaid arrear remuneration/honorarium since June 2014 onwards without giving any effect or further effect to the impugned order dated 21st

September, 2017 passed by the Block Development Officer, Gangarampur, District-Dakshin Dinajpur.

It appears that the Block Development Officer, Gangarampur Development Block, Gangarampur, District-Dakshin Dinajpur by an order dated 21st September, 2017 rejected the prayer of the petitioner for renewal of her service on the ground that as the petitioner submitted resignation and the said resignation was accepted and the service of the petitioner stood terminated on and from 27th July, 2007, accordingly, no further renewal could be made.

The petitioner claims that she all along served the Shishu Shiksha Kendra from 2011 onwards and her signature is appearing in the Attendance Register of the said Shishu Shiksha Kendra along with other Sahayikas.

A report was called for from the Mission Director, Paschim Banga Rajya Shishu Shiksha Mission. It appears therefrom that enquiry was conducted with regard to the documents submitted by the Sahayikas at the time of entry in service. It revealed on enquiry that the documents relied upon by the petitioner were not genuine.

A decision was taken not to give appointment to any candidate relying upon false and fake documents.

The name of the petitioner figured in the list of the Sahayikas whose testimonials were found to be fake and a decision was taken in respect of the candidates who tendered their resignation, not to offer further engagement to them.

The petitioner disputes the aforesaid contention and submits that all her testimonials are genuine.

It has further been submitted by the learned advocate appearing for the Mission Director that after 2007 no engagement letter was issued in favour of the petitioner.

Fact remains that the petitioner herself tendered her resignation in the year 2007 and the said resignation was accepted by the concerned authority.

The respondent authorities have also denied further engagement of the petitioner on the ground of tendering false and fake testimonials at the time of entry in service.

It appears that there are several disputed question of facts involved in the writ petition. The veracity of the documents relied upon by the petitioner are questionable.

In view of the above, the Court is not inclined to exercise jurisdiction in the matter.

The writ petition fails and is hereby dismissed.

The exception filed by the petitioner to the report of the Mission Director, Paschim Banga Rajya Shishu Shiksha Mission is taken on record.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)