

27-06-2022
ct no. 13
Sl. 22
sp

WPA 11373 of 2019

Goutam Pramanik

-Versus-

The State of West Bengal & Ors.

**Mr. A. Bhattacharjee,
Mr. Raja Biswas,
Mr. A. Sarkar**

....for the petitioner

**Mr. Arjun Ray Mukherjee,
Mr. Joyjeev Medhi**

.....for the State

The writ petitioner is aggrieved by order dated April 24, 2019, passed by the District Inspector of Schools (SE), Nadia, pursuant to a directions of a Co-ordinate bench of this court dated March 8, 2019, in WP No. 10287 (W) of 2018 (Goutam Pramanik Vs. State of West Bengal & Ors.).

The petitioner was appointed as Assistant Teacher and approval was granted on March 3, 1995. Such approval was pursuant to an order of a Single Bench of this Court dated August 30, 2012 in WP No. 11307 (W) of 2012 (Gautam Pramanik Vs. State of West Bengal & Ors.).

Prior thereto, the petitioner's appointment was based on a similarly situated person's appointment, made pursuant to a judgment dated

December 15, 2010, passed in A.S.T. 658 of 2010 with A.S.T.A. 257 of 2010 (Pranab Kumar Biswas Vs. State of West Bengal & Ors.).

The petitioner was granted increments upon completion of ten years, but annual increment was stopped with effect from 2001-2005. The petitioner claims the benefit of two circulars issued by the Governor of State dated February 12, 1999 and February 6, 2018. Across the bar, a further circular dated July 8, 2019, is also produced. By the the aforesaid circulars, the Governor of the State had allowed teachers, who could not acquire the training certificate, i.e., B.Ed. Degree, for pendency of the litigation for a period of time, were as a one-time measure, allowed to so acquire such training and/or B.Ed. certificate, to entitled them to increments.

The D.I. of Schools, has found that the two circulars dated February 6, 2018 and July 30, 2009, were a one-time measure. Even the circular dated July 8, 2019, was a one-time measure for untrained teachers appointed during 2006 to 2009 and upto July 1, 2015, to acquire a B.Ed. Degree.

The petitioner admittedly, on his own volition and on his own request, obtained the orders from this Court, asking his appointment to be dated March, 1995. The petitioner cannot,

therefore, entitle to any benefit of the circular dated July 8, 2019 or the other circular mentioned hereinabove.

This Court does not find any infirmity in the impugned orders. Hence, the writ petition fails and is hereby 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.)