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jdt.

26.07.2022
jb.

W.P.A. 18553 of 2017
(Madhabi Roy vs. State of West Bengal & Ors.)

Mr. Biswaroop Bhattacharya
Mr. Golam Mohiuddin
Ms. Puja Mondal
.... For the Petitioner

Ms. Kakali Samajpaty
Mr. Pramit Chakraborty
.... For the State

The petitioner was appointed by the school without any prior approval on temporary basis as a (Matron), Group 'D' Staff, on 17th November, 2014. The petitioner joined service and claims to have been working thereafter. The petitioner applied for regularisation of service on 8th March, 2016 before the District Inspector of Schools which remains unconsidered. Reliance is placed on two decisions being order dated 1st March, 2017 and 3rd April, 2017 passed by a Co-ordinate Bench of this Court in W.P. No. 4973(w) of 2017 and WP No. 9191 (W) of 2017, respectively.

This Court is of the view that the said decision cannot come to the aid of the petitioner. Admittedly the

appointment of the petitioner has not been made in terms of the applicable Rules. The claim of the petitioner for any regularisation or approval is misplaced and contrary to the dicta of the Hon'ble Supreme Court in the case of **State of Karnataka vs. Uma Devi** reported in **(2006) 4 SCC 1**.

In view of the above, no relief can be granted to the petitioner.

W.P.A. 18553 of 2017 stands dismissed.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)