

30.03.2023
BP
Court No. 17
Sl. 25

W.P.A. 1325 of 2022

Gopal Krishna Sahoo
Vs.
The State of West Bengal & Ors.

Mr. Sudipta Dasgupta
Mr. Arka Nandi
Ms. Dipa Acharyya
Mr. Saikat Sutradhar
Mr. Sondwip Sutradhar
Mr. Sutirtha Nayek
Ms. Shalini Ghosh
... for the petitioner

Mr. Saikat Banerjee
Mr. Ratul Biswas
Mr. Koushik Chowdhury
..for the Board

Mr. B.P. Vaisya
Mr. Sagnik Chatterjee
..for the Council

This matter is principally covered by my Judgement and order passed in WPA 14552 of 2021 (Mousumi Adak vs. West Bengal Board of Primary Education & Ors.) which was delivered on 12.12.2022. Here the only difference is when the petitioner went to join his service then at the time of joining he was told by the school that his appointment had been cancelled. Such cancellation of appointment being illegal, as has been decided in the above matter the petitioner's working period is to be considered from the date when he went to join the school till date and he should be paid full salary as he is not at fault for

the mistake committed by some other authority. From tomorrow the petitioner shall be treated as a teacher

of the school and shall get his salary in usual course as are being paid to other teachers. This period of service is to be regularised so that the petitioner cannot suffer any prejudice for which he has no fault.

The report filed by the Board dated 21.02.2023 be kept with the record.

With the above direction and observation, this writ application is allowed.

(Abhijit Gangopadhyay, J.)