

02. 22.03.2023
bd. Ct.15

W.P.A. 24139 of 2022

Biswajit Das

-vs-

The State of West Bengal & Ors.

Mr. Indranath Ganguli

Ms.Tapati Sarkar

....for the petitioner.

Mr. Swapan Kumar Dutt

Mr. Dipankar Das Gupta

....for the State.

Affidavit-of-service filed on behalf of the
petitioner is taken on record.

The writ petition is presented, inter alia, claiming renewal of engagement of the petitioner as vocational training instructor/part-time teacher in the vocational stream in Dhakuria Balika Vidyalaya, North 24 Parganas, based on engagement letter dated 3rd September, 2009. It has been contended on behalf of the petitioner that taking into consideration petitioner's engagement as part-time teacher in vocational stream of the school, as per Government Circular dated 28th May, 2019 being No.633-TET issued by the Joint Secretary, Department of Technical Education, Training and Skill Development, the name of the petitioner ought to have been included in

annexure-I for his re-engagement as part-time teacher in vocational stream. Therefore petitioner has prayed for issuance of mandamus directing the respondents to revive the engagement of the petitioner as part-time vocational teacher in the aforesaid school based on said circular dated 28th May, 2019.

Mr. Dutt, learned Additional Government Pleader representing the State respondents has opposed the prayer of the petitioner on the count that petitioner was engaged as part-time vocational teacher for the period of six months vide engagement letter dated 3rd September, 2009. Therefore, according to the State respondents based on such engagement letter dated 3rd September, 2009 it can be presumed that the tenure of the petitioner as part-time vocational teacher engaged sometime in 2010 ended after completion of six months. Therefore the circular dated 28th May, 2019 does not confer any right on the writ petitioner for revival of his engagement as part-time vocational teacher specially when no case has been made out that the name of the petitioner has been included in annexure-I as contemplated in the Circular dated 28th May, 2019.

This Court has heard the learned advocates representing the respective parties and finds that the petitioner was engaged pursuant to the engagement letter dated 3rd September, 2009 for a period of six months as vocational teacher/instructor in the aforesaid school. Therefore, the tenure of the petitioner as vocational instructor completed in 2010. It is true that Joint Secretary, Department of Technical Education, Training and Skill Development, issued one circular dated 28th May, 2019 relating to engagement of vocational instructor provided name of the candidate is included in annexure-I based on the decision taken by the concerned school authority.

In the present case nothing has been demonstrated before this Court that the petitioner's name has been included in annexure-I in terms of the said circular dated 28th May, 2019. Therefore the prayer of the petitioner for revival of his engagement as vocational instructor cannot be acceded to.

Accordingly, the writ petition stands dismissed.

However, there shall be no order as to

costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)