

06 22.9.2023

Ct-08

ar

MAT 1793 of 2022

with

I.A No. CAN 1 of 2022

CAN 2 of 2022

Tarun Kumar Das

Vs.

The State of West Bengal & Ors.

Mr. Bharat Bhusan

Mr. Sankar Paul

Ms. Tapati Sarkar

... For the Appellants

1. The application for condonation of delay being CAN 1 of 2022, CAN 2 of 2022 and the appeal are taken up together.

2. There is delay of 4078 days in preferring the appeal. Even we condone the delay the appellant is facing an insurmountable defect to overcome the fact that he was not recruited following the Recruitment Rules. The appellant cited instances of few persons who were absorbed merely because some persons have been appointed de hors the Recruitment Rules that does not give any right to the appellant for being absorbed as Assistant Teacher. Admittedly, he served the institution voluntarily.

3. Under such circumstances, we do not find any reason to admit the appeal.

4. In view of the above, the appeal being MAT 1793 of 2022 stands dismissed.

5. In view of dismissal of the appeal being CAN 1 of 2022 and CAN 2 of 2022 are

accordingly dismissed.

6. However, there shall be no order as to costs.

7. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Prasenjit Biswas, J.)

(Soumen Sen, J.)