

18.10.2023
SL No.42
Court No.8
(gc)

**MAT 2106 of 2023
CAN 1 of 2023
CAN 2 of 2023**

**Piyali Kar & Ors.
Vs.
Ramesh Malik & Ors.**

Mr. Joydip Kar, Sr. Adv.,
Mr. Pramit Bag,
Mr. Debdatta Saha,
Mr. Subhamay Dewanji,
...for the Appellants.

Mr. Bikash Ranjan Bhattacharyya, Sr. Adv.,
Mr. Bikram Banerjee,
Mr. Sudipta Dasgupta,
Mr. Arka Nandi,
Mr. Saikat Sutradhar,
Ms. Shalini Ghosh,
Mr. Baibhav Roy
...for the Respondent/
Writ petitioner.

Mr. L.K. Gupta, Sr. Adv.,
Mr. Subir Sanyal,
Mr. Saikat Banerjee,
Mr. Ratul Biswas,
Mr. Koushik Chowdhury,
...for the Board.

1. The appellants are aggrieved by the impugned order by which their appointments have been cancelled due to non-production of TET Certificate. The finding of the learned Single Judge is based on a report filed by the Board. In this proceeding, they did not annex the TET Certificate.
2. The basic documents having not been disclosed in the petition, we are not

inclined to interfere with the order passed by the learned Single Judge.

3. Mr. Joydip Kar, learned Senior Counsel appearing on behalf of the appellants has submitted that there are intrinsic evidence to show that they have been empanelled and given appointment on the basis of such empanelment.
4. However, having regard to the fact that the basic documents are not disclosed, we are not inclined to interfere with the order passed by the learned Single Judge.
5. However, it would be open for the applicants to approach the learned Single Judge for modification of the order with convincing materials.
6. With the aforesaid observation, the appeal and the connected applications stand disposed of.
7. However, there shall be no order as to costs.
8. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar, J.)

(Soumen Sen, J.)