

Court No. 22
10.01.2023
(Item No. 64)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side
W.P.A. 26576 of 2022

Bithi Saha
VS
The State of West Bengal & Ors

Mr. Nikhil Kumar Gupta
Mr. Shamit Dutta
..... for the petitioner
Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
.... For the State
Mr. Goutam Roy
Mr. I. Jha
Mr. Santanu Mukherjee
.... For respondent No. 11

Affidavit of service filed in Court today, is
taken on record.

The writ petitioner was appointed as a
contractual Teacher by the relevant School for the
period 2019-2020. The writ petitioner has not
disclosed the terms and conditions for the said
contractual appointment. After completion of her
contractual terms the service of the writ petitioner
stood automatically terminated by efflux of the
contractual period.

Mr. Arindam Chattopadhyay, learned advocate
appearing for respondent Nos. 1, 2 and 3 wishes to
produce the terms of appointment of the petitioner,
wherefrom he submitted that, it would appear that
there is no scope for any further appointment of the
petitioner as the contractual terms came to an end.

Mr. Santanu Mukherjee, learned advocate appearing for the School authority i.e. respondent No. 11. He submitted a copy of previous writ petition being **W.P.A. 13481 of 2021** filed by the self-same writ petitioner on the self-same cause of action and submitted that, pendency of the said previous writ petition had deliberately and willfully being suppressed in this writ petition.

At this juncture Mr. Nikhil Kumar Gupta, learned counsel appearing for the petitioner, on instruction from his client submitted that, the writ petitioner is no more willing to proceed with this writ petition.

Considering above, this writ petition being **W.P.A. 26576 of 2022** stands “**dismissed as withdrawn**”.

There shall, however, be no order as to costs.

(Aniruddha Roy, J.)