

20.06.2024.
Court No.13
Item No. 41
ap

W.P.A. No. 2313 of 2020
Pradip Chatterjee
Versus
The State of West Bengal & Ors.

Mr. Bikram Banerjee,
Mr. Arka Nandi,
Ms. Sagarika Goswami.

...For the petitioner.

Mr. Kumar Jyoti Tewari.

...For the respondent no.6.

Mr. Bhaskar Prasad Vaisya,
Mr. Sagnik Chatterjee.

...For the State.

Ms. Asha G. Gutgutia.

...For the NCTE.

1. It is submitted by Counsels for the NCTE and the Union of India that the private respondents not having any valid training qualification, could not have been appointed as Teachers in the School run by Titagarh Municipality.
2. The matter being investigated by the Central Bureau of Investigation. The appointment of the private respondents shall abide by the result of any investigation that may be conducted by the CBI and/or any decision of the Municipality in this regard.
3. Admittedly, the writ petitioner holds a valid training qualification i.e. two years Diploma in Education (Special Education). He ought to have been appointed

in the recruitment process conducted by the Titagarh Municipality in the year 2019.

4. The petitioner shall, therefore, be entitled to appointment and there shall be a writ of mandamus directing the Chairman, Titagarh Municipality to appoint the petitioner as an Assistant Teacher in Primary Section of the Municipal School. The appointment shall be effective from 3rd February, 2020 i.e. the date of filing of the instant writ petition. The petitioner shall be on service notionally from 3rd February, 2020 till date without any financial benefits.

5. The petitioner's financial benefits shall be commenced from the date he actually renders service and reports for duty to the Head Teacher of Titagarh Municipal School.

6. The Chairman, Titagarh Municipality, upon the petitioner's reporting with all the testimonials and credentials, shall issue a letter of appointment immediately upon receipt of a copy of this order along with a copy of the writ petition.

7. With the aforesaid directions, the instant writ petition is allowed and disposed of.

8. There will be no order as to costs.

9. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

