

26 29.4.2024
Sc Ct. no.22

WPA 3558 OF 2012

Sulekha Datta
Vs.
The State of West Bengal & Ors.

Mr. Kalyan Kumar Panda
.....For the Petitioner
Mr. Shamim ul Bari
.....For the State

This is a hearing matter upon direction for filing affidavits. Affidavit-report is on record. The exception filed by the petitioner is also on record.

Initially the petitioner joined as an organising teacher at the relevant school. Following the due process of law, the school was recognised by the State authority on and from **May 1, 2000**. Following such recognition of the school, the service of the petitioner as an Assistant Teacher was also approved on and from the said date of recognition of the school.

Admittedly, the petitioner has received all her employment benefits accordingly and the petitioner does not have any further claim on this score.

Through this writ petition the petitioner claims a notional benefit of her approval with effect from the date when she joined the school as an organising teacher.

With the promulgation of **The West Bengal School Service Commission Act, 1997** a school is required to be recognised following the procedure mentioned therein

and the staff both teaching and non-teaching of that school shall be approved with their respective service if such a staff was in existence in the school as on the date of its recognition. The law does not recognize approval of a teacher prior to the school being recognised.

In view of the above, this writ petition is totally devoid of any merit.

Accordingly, this writ petition, **WPA 3558 of 2012** stands ***dismissed***, without any order as to costs.

(Aniruddha Roy, J.)