

21.05.2024
Court No.13
Item Nos, 3, 8, 10, 11, 12 & 14
AP

WPA 21274 of 2021
Malina Mahanty (Nayek)
Vs.
The State of West Bengal and Ors.
With
WPA 21497 of 2023
With
IA NO: CAN 1 of 2024 (not found in the file)
Srabani Malakar
Vs.
The State of West Bengal and Ors.
With
WPA 27468 of 2023
Pulak Kumar Jana and Ors.
Vs.
The State of West Bengal and Ors.
With
WPA 8943 of 2022
With
IA NO: CAN 1 of 2024 (not found in the file)
Molla Jamaluddin and Ors.
Vs.
The State of West Bengal and Ors.
With
WPA 989 of 2024
Mustari Parveen
Vs.
The State of West Bengal and Ors.
With
WPA 995 of 2024
Shampa Mal and Ors.
Vs.
The State of West Bengal and Ors.

Mr. Sarwar Jahan
Mr. Kamal Mishra
Mr. Pratap Sanfui
Mr. Subhadeep Maitra
... For the Petitioners in Item Nos. 3, 12 & 14.

Mr. Tulsi Das Maiti
Mr. Pradip Kumar Ghosh
... For the Petitioners in Item Nos. 8 & 11.

Mr. Supriyo Chattopadhyay
Mr. Bhaskar Prasad Vaisya
Mr. Shamim Ul Bari
Mr. Sirsanya Bandopadhyay
Mr. Ritesh Kr. Ganguly
Mr. Mrinal Kanti Ghosh
Ms. Sayantanee Bhattacharjee
Mr. Arindam Chattopadhyay

Ms. Lipika Chatterjee

... For the State.

Mr. Biswabrata Basu Mallick

Mr. B. Halder

... For the DPSC, Hooghly in Item No.11.

Mr. Samiran Giri

... For the DPSC, Purba Medinipur.

1. The matters have been listed in terms of the directions contained in the order dated 25th April, 2024.

2. It is submitted by reference to Para 12 of the said order that the letters of appointment are required to be issued by the concerned DPSCs.

3. The order shall stand modified to that effect that the appointment orders shall issued by the concerned DPSCs.

4. Counsel for the Commissioner of School Education submits that after due verification, 45 candidates have been found to have been qualified for appointment. There are some discrepancies in the documents submitted by some of the 45 candidates. The same shall be looked into and as far as possible rectified mutually by the respondents and the concerned petitioner.

5. This Court has taken into consideration the submission of the counsel for the Chairman, DPSC, Purba Medinipur and Hooghly. There is some substance in the contention that letters of appointment and only notional benefits can be granted to the petitioners with

effect from 24th January, 2019. Financial benefits cannot be given from 24th January, 2019 since the petitioners did not render services to the State.

6. In that view of the matter, this Court directs that letters of appointment may be issued to the 45 candidates indicating that the effective date of appointment is from 24th January, 2019. They shall be entitled to their service being counted notionally from 24th January, 2019. The actual financial benefits shall be payable to them with effect from the date of their actual joining.

7. It is expected that the appointment letters are issued by the concerned Chairman of the DPSCs mandatorily and positively within a period of ten days from date.

8. The instructions of the Commissioner of School Education dated 20th May, 2024 addressed to the Charmin, DPSC, Purba Medinipur is kept with the record.

9. A further communication from the Commissioner of School Education dated 16th May, 2024 addressed to the Charmin, DPSC, Hooghly is also kept with the record.

10. Accordingly, the writ petitions are disposed of.

11. There shall be no order as to costs.

12. All parties are to act on a server copy of this order duly downloaded from the official website of this court.

(Rajasekhar Mantha, J.)