

24.04.2024
Item No.349 ML
Court No.18
A.J.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 11930 of 2023

Fazlul Karim Mondal
-Vs-
The State of West Bengal & Ors.

Mr. Samarendra Nath Biswas.

.....for the petitioner.

Mr. Biswajit De,
Mr. Rajarshi Basu,
Mr. Subhendu Sengupta.
.....for the State.

Affidavit of service filed on behalf of the petitioner be kept with the record.

The petitioner was an additional para-teacher of a Junior High School subsequently he participated in the 12th Regional Level Selection Test, 2011 for the post of Assistant Teacher conducted by the West Bengal Central School Service Commission. He was successful in the said selection test in pursuance thereof on November 23, 2013 he was appointed as an Assistant Teacher in the subject Physical Education under the General Category.

On attaining the age of superannuation, the petitioner has retired from the said service on January 31, 2021.

There is a shortfall of seven years two months and four days in the qualifying service to get the benefit of pension.

The District Inspector of School (S.E.), District : Nadia, the respondent no.5 herein by the order impugned bearing Memo No. 603/GEN/SE dated May 20, 2022 has rejected the prayer of the petitioner for condonation of the said shortfall of qualifying service.

Learned Advocate for the petitioner submits that period of service of his client as para-teacher should be reckoned in calculating the qualifying service.

The Rule prescribes minimum ten years of qualifying service as an approved teacher, such period of service is not in the credit of the petitioner, as such the impugned order does not call for any interference.

WPA 11930 of 2023 is dismissed without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)