

09.07.2024
Court No.13
Item No.243
AP

WPA 11418 of 2019

**Smt. Bharati Roy
Vs.
The State of West Bengal and Ors.**

Mr. Tarapad Das
Mr. Mahadeb Khan

... For the Petitioner.

Mr. Mrinal Kanti Ghosh
Ms. Sayantanee Bhattacharyya

... For the State.

Mr. Bhaskar Prosad Vaisya
Mr. Suman Dey

... For the DPSC, Bankura.

1. Copy of the affidavit-in-Opposition received from the learned advocate for the parties and Affidavit-in-Reply filed in Court today are taken on record.

2. The petitioner challenges an impugned order dated 22nd January, 2019 passed by the District Inspector of Schools (PE), Bankura. The said order was passed pursuant to a direction of a Single Bench of this Court dated 19th December, 2018 in WP No.23023 (W) of 2018 (Bharati Roy Vs. State of West Bengal and Ors.).

3. The facts of the case are that the petitioner claims that her husband, who died in August 1993, worked as an Assistant Teacher in Dunduria Primary School and Dhobajore Primary School from 1948 to 1962, under the DPSC Bankura.

4. The respondents made enquiries and could not come out with any records whatsoever as regards the petitioner's husband's service in either of the two schools. The petitioner also could not produce any papers including the copies of receipts of terminal benefits from the DPSC Bankura or the DPPG, West Bengal.

5. There being no credible information at all with regard to the petitioner's service under the State from 1948 to 1962. The writ petition filed in the year 2018 could not have been entertained in the first place.

6. This Court further notice that the writ petition has been affirmed by the son of the deceased employee. There are sufficient doubts in the minds of the Court on the bona fides of the writ petition itself. This Court does not find any reason to interfere with the impugned order.

7. Hence, the writ petition fails and hereby dismissed.

8. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)