

08.08.2024
Ct. No. 14
Sl. No.7
KB

**In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

**W.P.A 18560 of 2023
with
IA No. CAN 1 of 2023**

**West Bengal (Rural and Urban) Primary
Organiser Teacher's Association
-versus-
The State of West Bengal & Ors.**

**Mr. Santi Ranjan Das
Mr. Sayantan Rakshit
Mr. K. P. Mukhopadhyay
...For the Petitioner.**

**Mr. Biswabrata Basu Mallick. Ld. AGP
Mr. Biman Halder
... For the State.**

The petitioner is the registered association of primary organizer teachers represented by its Secretary. The petitioner is aggrieved by the order dated 30th June, 2023 passed by the Principal Secretary, School Education Department rejecting the prayer of the petitioner for appointing its members as primary school teachers on the ground that no cogent documentary evidence on record has been produced or pleaded in support of their membership and that the members were parties to the writ petition being W.P. No.15632(W) of 1998.

Learned advocate representing the petitioners submits that there are several members of the association. West Bengal Legal Services Authority ought to have provided the joint inspection report to them but the result/outcome of the inspection was never made known to the association.

From the documents annexed to the writ petition, it appears that the issue in question travelled up to the Hon'ble Supreme Court and vide judgment dated **3rd May, 2018 in Civil Appeal No. 4772 of 2018** in the matter of ***Nabaparya West Bengal Primary Organiser Association vs. State of West Bengal & Ors.*** the Court clearly directed that no Court shall entertain any further challenge on the report submitted by the Secretary to the West Bengal Legal Services Authority and there shall be no further dispute in this regard. The Secretary has been directed not to entertain any fresh application or fresh record.

The prayer that the petitioner is presently making before this Court will virtually reopen the entire issue. As the Supreme Court has already put an end to the dispute way back in 2018, there is hardly any scope to re-agitate or reopen the issue all over again.

The outcome of the report which the petitioner currently seeks cannot be directed to be made known to the petitioner at this stage. All documents were before the Hon'ble Supreme Court. If the petitioner

seeks any further relief, the same may be before the Hon'ble Court which passed the order. This Bench does not have any authority to ignore or to pass any order contrary to the order passed by the Hon'ble Supreme Court in the aforesaid matter.

In view of the above, the relief sought for cannot be allowed.

The writ petition fails and is hereby dismissed.

In view of the dismissal of the writ petition, the connected application also stands disposed of.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)