

OD-9

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/153/2024
POONAM MEHTA
VS
STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : 5th March, 2024.

Appearance :
Mr. Mr. S.P. Jana, Adv.
... for the petitioner.

Mr. Arjun Roy Mukherjee, Adv.
Mr. Subhendu Sengupta, Adv.
Mr. Paritosh Sinha, Adv. |
... for State.

The Court: 1. This is an application under Article 226 of the Constitution of India, wherein the writ petitioner is aggrieved by an order passed by the District Inspector of Schools (P.E.), Kolkata (hereinafter referred to as “the D.I. of Schools”), dated July 13, 2017. By this order, the D.I. of Schools approved the appointment of the petitioner with effect from February 22, 2017.

2. The petitioner submits that since the petitioner had joined the School in 2007 and her services had been confirmed on April 1, 2010, the appointment is required to be approved with effect from April 1, 2010. Mr. Jana, appearing on behalf of the petitioner, relies upon a judgement in W.P. No. 543 of 2017 (Pushpa Jha &

Ors. -vs.-State of W.B. & Ors.), wherein a co-ordinate Bench of this High Court had directed similar approvals to be granted from the date of confirmation of the petitioners.

3. Mr. Arjun Roy Mukherjee, appearing on behalf of the D.I. of Schools, submits that this writ petition is not maintainable as it seeks modification of an order passed by a co-ordinate Bench.
4. This submission of Mr. Arjun Roy Mukherjee has no merit as that is not the case which is clearly seen from a perusal of the records.
5. In light of the above, the D.I. of Schools is directed to approve the appointment of the petitioner from the date of the petitioner was confirmed in the School, i.e. April 1, 2010. The above should be done within a period of four weeks from date.
6. With the above directions, the writ petition accordingly stands disposed of.
7. Since no affidavits have been used, the allegations contained in the petition are not admitted.

(RAJASEKHAR MANTHA, J.)

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