

OD-1

ORDER SHEET
WPO/641/2024
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

RAJAT GHOSH

VERSUS

THE STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : July 11, 2024

Appearance:

Mr. S.P. Jana, Adv., for petitioner.

Mr. J. Chakraborty, Adv.; Ms. N. Adhya, Adv., for State.

1. The Court: The petitioner was approved as a Teacher in the School with effect from June 6, 2017, by an order of even date, by the DI of Schools(P), Kolkata, pursuant to order passed by a co-ordinate Bench dated January 16, 2017 in WP/30306(W)/2016.
2. The petitioner did not have a training qualification and obtained the same in the year 2019. The petitioner waited for seven years after the confirmation by the DI to move this instant writ petition seeking confirmation with effect from 2002.

3. The petitioner appears to have accepted the order of confirmation with effect from 6th June 2016 without demur or protest. He did not make any representation or dispute the same until expiry of seven years after the confirmation, when the writ petition was filed.
4. In those circumstances, apart from the principles of res judicata, the prayers made in the writ petition are also barred by the principles of waiver, acquiescence and estoppels.
5. In those circumstances, no relief can be granted in favour of the petitioner. The writ petition accordingly fails and is hereby dismissed.

(RAJASEKHAR MANTHA, J.)

TK