

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

ML- 07.08.2025
330 Ct.18
rkd DO

W.P.A. 4516 of 2024

Krishna Chandra Bera

-vs-

The State of West Bengal & Ors.

Mr. Gouta Dinda

....for the petitioner.

Mr. Shamim ul Bari,
Mr. Abdus Salam

....for the State.

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Petitioner was selected in a recruitment process initiated by the school authority at the material point of time in terms of relevant recruitment rules for the post of Group-D in Mahishadal Gayeswari Girls' High School (HS), Purba Medinipur.
3. Petitioner being the first empanelled candidate was appointed on 11th September, 2006 by the aforesaid school authority and approval was granted in favour of the petitioner by the concerned District Inspector of Schools (SE), Purba Medinipur being respondent no.4 vide memo dated 5th February, 2007.
4. However, approval granted vide memo dated 5th February, 2007 was conditional one in view of

pendency of contempt proceeding being CPAN 1205 of 2006 arising out of writ petition being WPA 24887 of 2005.

5. Learned advocate representing the petitioner has drawn attention of this Court to a document at page 21 of the writ petition wherein status of the aforesaid contempt proceeding is available. It appears from the said document at page 21 that contempt proceeding being CPAN 1205 of 2006 was dismissed by a coordinate Bench.
6. It is contended on behalf of the petitioner since conditional approval was granted vide memo dated 5th February, 2007 due to pendency of said contempt proceeding petitioner is not getting eighteen years service benefits.
7. State respondents are represented by learned advocates.
8. Having heard the learned advocates representing the parties and on perusal of records, nothing is found from where it can be concluded that CPAN 1205 of 2006 is still pending.
9. On the contrary, document at page 21 shows that it was dismissed on 23rd February, 2007.
10. In view of aforesaid situation, respondent no.4 is directed to issue fresh approval memo in favour of the petitioner upon treating the petitioner's

approved service as Group-D staff of the aforesaid school with effect from 11th September, 2006 within a period of four weeks from the date of communication of this order.

11. After issuance of fresh approval memo steps shall be taken in accordance with law for extending eighteen years service benefits to the petitioner, if petitioner is found to be eligible otherwise.
12. Writ petition stands disposed of.
13. However, there shall be no order as to costs.
14. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)