

ML44
July 2025
10.07.2025
Court No.17
SK/Samar

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 20568 of 2024

Hirendra Nath Brahmachari

Vs.

The State of West Bengal & Ors.

Ms. Debjani Sengupta,
Mr. Abhijit Chatterjee,
Ms. Koyel Bag

...for the Petitioner.

Ms. Tapati Samanta,
Mr. Arindam Ghosh

...for the State.

In terms of the order dated April 25, 2025, Ms. Sengupta, learned senior counsel for the petitioner files a supplementary affidavit to the writ petition, which is taken on record.

Kusumgram Netaji Muka-Badhir Vidyapith, District – Purba Burdwan, is a school for hearing impaired students.

The Government of West Bengal had accorded sponsorship to the said school with effect from November 16, 2010 vide memo no. 1078-MEE/Sectt./EM/O/3'S'-44/08 and had created 17 teaching and non-teaching posts for the said school subject to fulfillment of certain conditions mentioned in the said sponsorship memo.

The District Mass Education, Extension Officer, Burdwan, the respondent no. 4 herein by his letter bearing Memo No. 121/K-87 dated February 28, 2011 had sent the proposal to the Director, Mass Education Extension Directorate Government of West Bengal, respondent no. 3 herein for approval of appointment of said 17 teaching and non-teaching staff of the said school, which includes the name of the petitioner as the Craft Instructor of the said school.

The petitioner is complaining that thereafter the issue regarding approval of his appointment did not proceed, however, in the meantime, the approval of appointment of other teaching and non-teaching staffs of the said school has been accorded in terms of the order dated August 10, 2022 passed by a Co-ordinate Bench of this Court in W.P.A. 6277 of 2018.

The petitioner is praying that the approval of his appointment be also accorded in terms of the aforementioned order of the Co-ordinate Bench.

The learned advocate for the State submits that the petitioner since is lacking in the training qualification, is not entitled to the approval as prayed for.

Ms. Debjani Sengupta, learned advocate for the petitioner submits that the petitioner does possess the requisite qualification as he has the training certificate on computer Basics and DTP package issued by WEBEL Mediatronics Limited, a Government of West Bengal undertaking, and he has also obtained the certificate from Katwa Youth Computer Training Centre, a joint initiative of the Department of Sports and Youth Services (Youth Services Wings), Government of West Bengal and C.F.A.C, therefore, denying approval of the appointment of the petitioner for lack of training qualification, is not justified.

Having heard the learned counsel for the parties and on perusal of the materials-on-record, it appears that the name of the petitioner is featuring in the list of the teaching and non-teaching staff of the said school forwarded by the respondent no. 4 under memo bearing no. 121/K-87 dated February 08, 2011 to the respondent no. 3.

The petitioner has the certificate in the computer Basics and DTP package under the project for providing I.T. Infrastructure in schools for hearing impaired in West Bengal, as such, approval of his appointment cannot be denied for want of necessary training qualification.

The respondent no. 3, therefore, is directed to accord approval of appointment to the petitioner with effect from the date of according of sponsorship to the school. The said respondent immediately upon granting approval of such appointment, shall take forward steps to have the financial sanction in respect of such approval from the Principal Secretary, Finance Department, Government of West Bengal, the respondent no. 2 herein.

It is expected that the entire exercise in this regard would be completed within a reasonable time, **preferably within a period of six weeks from date.**

W.P.A. 20568 of 2024 is disposed of with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Biswajit Basu, J.)