

W.P.A. 28942 of 2024

**Mridul Halder & Ors.
Vs.
The State of West Bengal & Ors.**

Ms. Salma S. Shah
...for the Petitioner

Mr. Vimal Kumar Shahi
Ms. Sangeeta Roy
...for the State

Affidavit of service filed on behalf of the petitioners is taken on record.

10 (ten) petitioners have approached this Court with this writ petition for their appointments either in the post of Clerk or in the post of Group-D in a Government aided secondary schools. In support of contention of the petitioners reliance is placed on memo dated 6th December, 2023 issued by the Assistant Secretary to the Government of West Bengal addressed to the office of the Additional District Inspector of Schools, Basirhat, North 24 Parganas whereby Assistant Secretary requested Additional District Inspector of Schools, Basirhat to take necessary actions and send a report relating to the prayer made by the petitioners. According to the petitioners since they participated in the interview for the posts of Clerk/Group-D and a memo was issued on 6th December, 2023 by the Assistant Secretary, School Education Department addressed to Additional

District Inspector of Schools, Basirhat for taking necessary steps, right is conferred upon them to be appointed either in the posts of Clerk or Group-D in secondary schools.

Mr. Vimal Kumar Shahi, learned Additional Government Pleader represents State-respondents who submits that petitioners have no right to be considered for appointment in the posts of Clerk/Group-D based on their participation in the interview in the year 2007 and the memo dated 6th December, 2023 of the Assistant Secretary is a mere formality on receipt of representations from the petitioners directing the Additional District Inspector of Schools, Basirhat to take necessary steps.

Having considered the respective submissions made on behalf of the parties and taking note of the materials available on record it appears that petitioners might have participated in the selection process in 2007 for being appointed in the posts of Clerk/Group-D but unless they are selected against sanctioned post no right is accrued in their favour warranting issuance of mandamus ensuring their appointment either as Clerk or Group-D. There is nothing on record which goes to show that petitioners are entitled to be considered for appointment in the posts of Group-D or Group-C in secondary schools based on their participation in interview which was held in 2007.

In view of aforesaid scenario no relief can be granted to the petitioners.

Hence, the writ petition stands dismissed.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)