

06.04.2026
Sl. No.2
Ct. No.14
ss

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 9556 of 2025

**Amar Kumar Bhattacharyya
Versus
The State of West Bengal & Ors.**

Mr. Oishik Chatterjee

...for the petitioner

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee

.... for the State

Md. Sarwar Jahan
Ms. Mousumi Mitra
Ms. Tapati Sarkar
Ms. Shalini Sen
Ms. Sahina Parvin
Mr. Soumyajit Roy Choudhury

... for the respondent no.2

1. This matter is appearing in the list under the heading
'To Be Mentioned'.
2. By the present writ petition, the petitioner seeks for consideration of his representation of the petitioner dated 14th August, 2024 being annexure P15 to the writ petition and validate the appointment of the petitioner for the post of Samprasarak.
3. The petitioner contends that a letter was issued by the District Nodal Officer, North 24-Parganas to Block Development Officer, Baduria Block stating that the engagement of Samprasarak and Samprasarika has been approved. Thereafter the Secretary, Narayanpur Madhyamik Shiksha Kendra, District North 24-Parganas vide a notice dated 4th November, 2008 informed the Block Development Officer, Baduria

Block that for English one Samprasatika will be appointed and for History and Physics, Samprasarak and Samprasatika will be engaged. The petitioner appeared in the interview on 16th November, 2008. By meeting No. 26 dated 19th November, 2008 the appointment of the petitioner was confirmed for the post of Samprasarak for the subject History. In resolution dated 25th April, 2010 the names of all the Samprasaraks were unanimously decided and in that resolution of the Institute the name of the petitioner was also present. The petitioner made several representations to the District Nodal Officer, District Magistrate, the Sabhadipati for considering the petitioner's appointment as a Samprasarak through one-man panel and to disburse his honorarium till date but the said representation was never considered. The petitioner filed a writ petition being WP 12553(W) of 2012, which was dismissed on 3rd September, 2012. The petitioner filed an appeal being FMA 1998 of 2015, which was also dismissed on 25th September, 2023. During pendency of the appeal the petitioner filed another writ petition being WPA 8338 of 2015 which was dismissed for default on 6th December, 2023. Since the honorarium has not been granted to the petitioner as yet, the petitioner has filed the present writ petition.

4. Mr. Oishik Chatterjee, learned Advocate appearing on behalf of the petitioner submits that the petitioner is discharging function as Samprasarak however, he

has not been paid honorarium and as such, the petitioner is constrained to file the present writ petition seeking for appropriate relief.

5. Md. Sarwar Jahan, learned Advocate appearing on behalf of the Mission Director, Paschim Banga Rajya Sishu Siksha Mission, respondent no.2 and Mr. Arindam Chattopadhyay, learned Advocate appearing on behalf of the State submit that with the similar prayer the petitioner previously approached this Court by filing a writ petition being WP 12553(W) of 2012 with self-same prayer, which was dismissed on 3rd September, 2012 and subsequently, challenging the order of learned Single Judge, an appeal being FMA 1998 of 2015 was filed, which has also been dismissed on 25th September, 2023. In the meantime, with the similar prayer the petitioner filed another writ petition being WPA 8338 of 2015 which was dismissed for default on 6th December, 2023. The petitioner has sought for similar relief in the present writ petition and as such the same is not at all sustainable in the eye of law.
6. In the earlier writ petition being WP 12553(W) of 2012 the petitioner prayed for release of his honorarium and upon hearing, the writ petition was dismissed on 3rd September, 2012.
7. Challenging such order the appeal being FMA 1998 of 2015 was filed and the same was dismissed on 25th September, 2023 observing that the selection procedure was faulty and no one can claim any relief.

Pending appeal another writ petition being WPA 8338 of 2015 was filed for release of honorarium and validation of appointment of the petitioner. The same was dismissed for default on 6th December, 2023. No step has been taken for restoration of the said writ petition. The present writ petition is filed with the selfsame relief.

8. In view of the facts as noted hereinabove, this Court finds that the as petitioner has filed the present writ petition with the selfsame relief, which has been decided in the earlier writ petition being WP 12553(W) of 2012 as well as in appeal being FMA 1998 of 2015, hence, the writ petition falls short of merit and is liable to be dismissed.
9. Accordingly, the writ petition being **WPA 9556 of 2025** stands dismissed.
10. Interim order, if any, stands vacated.
11. All connected applications, if any, stand disposed of.
12. There shall be no order as to costs.
13. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
14. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)