

24.03.2026
Item No. 13
Ct. No. 14
AN

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

**WPA 13561 of 2025
Jagannath Paul
vs.
State of West Bengal & ors.**

Mr. Soumen Kr. Dutta
Mr. Subham Dutta
... for the petitioner
Ms. Sharmila Datta Das
Mr. Jahangir Hossain
... for the State
Mr. B. P. Vaisya
Mr. Pinaki Bhattacharyya
... for DPSC, North 24 Parganas

1. Report of District Inspector of Schools (P.E.), North 24 Parganas dated 19th March, 2026 filed by the State respondents is taken on record.
2. By the present writ petition the petitioner seeks for releasing of admissible benefits in his favour in view of the Office Order of the Chairman, District Primary School Council, North 24 Parganas under Memo No. 308/Law dated 16th April, 2025.
3. The petitioner contends that he was appointed as a Primary Teacher in the Sree Sree Ramkrishna Sishu Vidyapith (Government Sponsored) on 14th May, 1976 by Ramkrishna Missionaries. By dint of Government Order dated 15th September, 1975 authorities of Ramkrishna Mission was granted permission to appoint teachers in school managed by them from outside the approved panel of the respective municipal areas. Thus, they were given autonomy in the matter of appointment of the teachers. Subject to condition that all the teachers must have the

requisite qualification as prescribed by the Government from time to time. Such autonomy was withdrawn vide G.O. No. 84-Edn.(P) dated 18th January, 1978. Writ petitions being C.O No. 313 (W) of 1996 and C.O No. 314 (W) of 1996 was filed seeking for regularization of appointment of Teachers in Ramkrishna Mission. The said writ petitions were dismissed by the learned Single Judge as the appointment was not made as per rules. Such order was challenged in appeal being FMA 184 of 2009. On 18th March, 2014, the Hon'ble Division Bench disposed of the appeal and directed as follows:

“In such circumstances, as the decision has to be taken firstly, by the District Primary School Council, we direct the District Primary School Council to take a decision in the matter duly considering the relaxation granted to Ramkrishna Mission vide G. O. dated 15.9.1975 which was withdrawn on 18.1.1978, before which the petitioners had been appointed by the Ramkrishna Vidyapith.”

4. Pursuant to the aforesaid order hearing was conducted by Chairman, DPSC, North 24 parganas on 22nd July, 2022 and the prayer of the petitioner was rejected since his appointment was not approved by the Director of School Education (in short DSE). Challenging the said order, the petitioner filed a writ petition being WPA 26097 of 2022 which was disposed of 17th September, 2024 with the following directions:

“The Chairman, DPSC, being the respondent no.4 is directed to consider the matter afresh strictly in the light of the observations made by the Hon'ble Division Bench in the order dated March 18, 2014 upon giving an opportunity of personal hearing to the petitioner, the school authority, DSE, being the respondent no.2 and/or any other authority, which the Chairman, DPSC may deem fit and proper and pass a reasoned order as expeditiously as possible, but positively on or before November 8, 2024.”

5. Since the order was not complied with, the petitioner filed a contempt application being CPAN 1850 of 2024 and rule was issued in the said contempt application. During the pendency of such proceeding on 16th April, 2025, the Chairman, District Primary School Council, North 24 Parganas passed the following order:

“In compliance with the order dated- 17/09/2024 passed by Hon'ble Justice Hiranmay Bhattacharya a further hearing was held on 16/04/2025 at 1 P.M. in the Chamber of Chairman, DPSC North 24 Parganas regarding the matter related to Jagannath Paul (WPA 26097 of 2022). In the hearing Jagannath Paul was present and represented by his advocate Suman Saha, representative of DSE Smt. Santa Das (ADSE), D.I/S(P.E), SI/S Baranagar Circle, H.T. of Sree Sree Ramkishna Sishu Vidyapith was present at the time of hearing, as per discussion in the hearing and considering the representation of Jagannath Paul, It was decided to consider the prayer of Jagannath Paul who was appointed w.e.f. 01.06.1976 by the then Secretary of Sree Sree Ramkishna Sishu Vidyapith which is valid at that material point of time as per Ramkrishna Mission G.O. dated 15/09/1975 and also decided to give admissible benefit to Jagannath Paul subject to the verification of documents required for releasing the admissible benefit as per applicable prevalent Govt. Rule.”

6. Although, the petitioner has been made entitled to admissible benefits subject to verification of documents required for releasing of such benefits, the petitioner has not been extended such admissible benefits as yet. Hence this writ petition.

7. Mr. Soumen Kr. Dutta, learned advocate appearing for the petitioner submits that although, admissible benefits have been extended to the petitioner by the Chairman, District Primary School Council, North 24 Parganas and the appointment of the petitioner has been observed to be valid, the Director of School Education has not yet approved the appointment of the petitioner or such benefit in favour of the petitioner. He seeks that a specific direction be issued upon the Director of School Education

to take a decision within a specified period regarding release of the admissible benefits in favour of the petitioner.

8. Ms. Sharmila Datta, learned advocate representing the State submits that the verification is pending at the end of the General Secretary, Ramkrishna Mission, Belurmath regarding appointment of the petitioner. Neither the school nor the DSE has approved his appointment.

9. Upon going through the records, it appears that pursuant to the order passed in the writ petition being WPA 26097 of 2022 followed by an order passed in the contempt application, the Chairman, District Primary School Council, North 24 Parganas observed that the appointment of the petitioner is valid at the material point of time as per G.O. dated 15th September, 1975 and it also decided to give admissible benefits to the petitioner subject to the verification of the documents required for releasing of the admissible benefits as per applicable prevalent Government rule. It is informed by the learned advocate representing the State that the Director of School Education has not yet approved such benefits since the matter is pending before the Ramkrishna Mission's end.

10. In view of the above, the Director of School Education, Government of West Bengal, respondent no. 2 herein, is directed to take a decision with regard to the approval of the appointment of the petitioner as well as the admissible benefits upon proper verification, taking into considering the Office Order of the Chairman, District Primary School Council, North 24 Parganas dated 16th April, 2025 within a

period of eight weeks from the date of communication of this order.

11. With the above directions, the writ petition being **WPA 13561 of 2025** stands disposed of.

12. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.

13. Interim order, if any, stands vacated.

14. All connected applications, if any, stand disposed of.

15. There shall be no order as to costs.

16. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

17. 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.)