

02-02-2026
Item No.9 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.19289 of 2023
Bhawani Saran Srivastav & Ors.

-vs-

The State of West Bengal & Ors.

Mr. Anjan Bhattacharya
Ms. Anita Shaw ...for the petitioners

Mr. Bhaskar Prasad Vaisya, AGP
Mr. Sagnik Chatterjee ...for the State

1. The petitioners, four in numbers, have approached this Court praying for a direction upon the District Inspector of Schools to grant post facto approval to them from their initial date of appointment in the school. They claim that they were engaged long prior to their date of approval.
2. In the alternative, prayer has been made to allow the petitioners to approach the District of Schools with prayer for grant of post facto approval to their service on and from their initial date of joining.
3. It appears that four persons have joined in a single writ petition with different cause of action.
4. It emerges that the petitioners were appointed on diverse dates and that their approval was also given on different dates. Merely because of the reason that all of them were serving in the same school, cannot be a ground for joining together to file one writ petition. The cause of action in

respect of four persons is completely different and four separate writ petitions ought to have been filed.

5. It also surfaces from records that the service of the petitioners stood approved on diverse dates in the years – 2017, 2020 and 2021 etc. There is nothing on record to suggest that the petitioners approached the competent authority seeking post facto approval. The petitioners filed the writ petition directly without approaching the authority for redressal of their grievances.
6. In view of the fact that all the four petitioners retired from service long back, allowing them liberty to approach the DI of Schools for according post facto approval to their service from the initial date of appointment may not be proper.
7. Without supporting documents, it is not possible for the Court, sitting in Article 226 jurisdiction to direct the respondent authorities to accord post facto approval of the service of the petitioners.
8. In view of the above, no relief can be granted to the petitioners in the instant writ petition.
9. The writ petition fails and is hereby dismissed.
10. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
11. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

