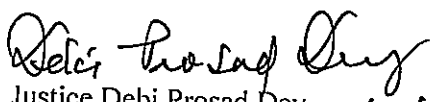
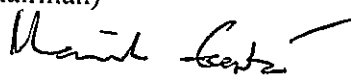
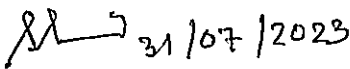


OBSERVATION

Riajul Bhuian Assistant, Teacher, Arabic (Pass) is claiming himself to be a regular Asstt. Teacher of Lalbandh Hossainia Sr. Madrasah, Bankura. He also admitted that he never appeared in any written examination or never appeared before any Interview Board for being recruited as a Teacher of Lalbandh Hossainia Sr. Madrasah, Bankura. It is evident that he could not file any work done certificate on and from 01/04/2021 till date. There is no direction of the Hon'ble Supreme Court to appoint the incumbent concerned in C.A. No. 5808/2017 dated 17/05/2018. He has no requisite qualification on the date of his alleged appointment since he acquired B.Ed. Degree in the year 2021. In the year 2018, the Recruitment Rules published in Kolkata Gazette Notification dated 04/03/2016 (486-MD/O/2M-11/2016 dated 03/03/2016) were applicable but, the Rules were never followed by the Recruitment Authority. Resolution No. 9/2019 dated 03/09/2019 of the Managing Committee reveals that the present incumbent including other eight persons were appointed "As teacher on contractual voluntary basis". The Superintendent of Lalbandh Hossainia Sr. Madrasah, Bankura stated that the Managing Committee wanted to recruit teachers by publishing in the Newspaper but, District Inspector of School, Bankura vide letter no. 3304/S rejected such proposal holding *inter alia* that SLP No. 6661/2016 was pending before the Hon'ble Supreme Court. The Managing Committee challenged the said decision of D.I. of School, Bankura but, the Hon'ble High Court in WPA No. 17914/2018 rejected such Writ Petition imposing exemplary cost of Rs. One Lakh. After going through the claim of the petitioner, Riajul Bhuian, we find that his claim is not maintainable in law and he was never recruited following Recruitment Rules as Teacher of Lalbandh Hossainia Sr. Madrasah, Bankura. No Resolution was found in favour of his claim. On the contrary, he was recruited on contractual voluntary basis on 03/09/2019. No signature of the incumbent was found in the official attendance register. The claim of Riajul Bhuian has to be rejected for the reason mentioned in the foregoing paragraph. In absence of any signature of Riajul Bhuian in the official attendance register, we may safely conclude that the appointment letter, joining letter of Riajul Bhuian were manufactured and he never worked as regular teacher in the Lalbandh Hossainia Sr. Madrasah, Bankura. The D.I of Schools who submitted a report stating *inter alia* that Riajul Bhuian was never recruited as permanent employee following rules of recruitment.


1) Justice Debi Prosad Dey 31/07/2023
(Chairman)

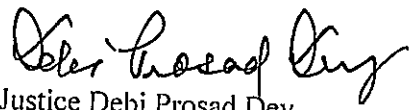

2) Shri Manish Gupta 31/07/2023
(Member)

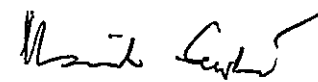

3) Shri Sripati Mukhopadhyay
(Member)

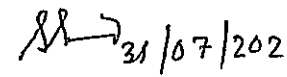
OBSERVATION

Oliullah Mallick, Assistant Teacher (UG) never appeared in any written examination or before any Interview Board for being recruited as a Teacher of Lalbandh Hossainia Sr. Madrasah, Bankura. He could not produce any Work Done Certificate from 01/04/2021 till date. Insan Ali Khan, the present Teacher-in-charge of Lalbandh Hossainia Sr. Madrasah, Bankura categorically stated by referring Meeting No. 9/2019 dated 03/09/2019 of Resolution that the incumbent was appointed on contractual voluntary basis on 03/09/2019. Apparently, the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016 were never complied with and the incumbent was never recruited following the Recruitment Rules mentioned above.

Therefore, we candidly say that Oliullah Mallick was never recruited following the Recruitment Rules as Assistant Teacher of Lalbandh Hossainia Sr. Madrasah, Bankura and his claim as Assistant Teacher of the said Madrasah is not maintainable. He is not entitled to get any relief as legally recruited teacher of Lalbandh Hossainia Sr. Madrasah, Bankura. His claim as Assistant Teacher is not maintainable in law and he is not entitled to get any relief. In absence of any Resolution of the Managing Committee and signature of the incumbent in the official attendance register, it may safely be stated that the letter of appointment dated 20/12/2018 and the joining report dated 24/12/2018 were manufactured and the incumbent never worked in the Madrasah under reference as legally recruited teacher. His claim is not maintainable.


1) Justice Debi Prosad Dey
(Chairman) 31/07/2023

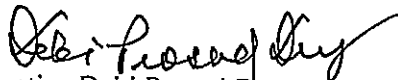

2) Shri Manish Gupta 31/07/2023
(Member)

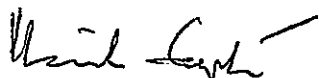

3) Shri Sripati Mukhopadhyay
(Member) 31/07/2023

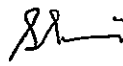
OBSERVATION

Niladri Mishra Asstt. Teacher, History (H/PG) is claiming to have been recruited in terms of the Hon'ble Supreme Court order dated 17/05/2018 in CA No. 5808/2017. On scrutiny of such order of the Hon'ble Supreme Court, we do not find any such direction of the Hon'ble Supreme Court. Admittedly, Niladri Mishra never appeared in any written examination or appeared before any Interview Board for being recruited as a Teacher. Niladri Mishra also could not produce any work done certificate since his alleged joining on 24/12/2018. The alleged work done certificate does not bear any signature of Teacher-in-Charge but, the said document is coloured Photostat copy. As per Meeting No. 9/2019 dated 03/09/2019, Niladri Mishra was temporarily recruited on contractual voluntary basis as teacher without following the Rules of Recruitment.

In absence of any Resolution and the signature of the incumbent in the official attendance register as well as work done certificate from the incumbent authority, it may be safely stated that Niladri Mishra was never recruited following the Rules of Recruitment 486-MD/O/2M-11/2016 dated 03/03/2016. The letter of appointment, joining letter and other documents filed by Niladri Mishra appears to have been manufactured. The claim of Niladri Mishra as Assistant Teacher, History (H/PG) of Lalbandh Hossainia Sr. Madrasah, Bankura is not maintainable in law and he is not entitled to get any relief as prayed for.

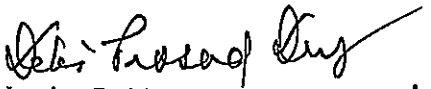

1) Justice Debi Prosad Dey 31/07/2023
(Chairman)

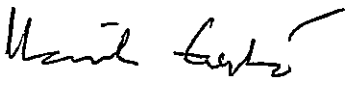

2) Shri Manish Gupta 31/07/2023
(Member)

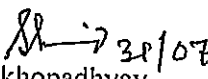

3) Shri Sripati Mukhopadhyay 31/07/2023
(Member)

OBSERVATION

Dayamoy Kari Assistant Teacher, Bengali (H/PG). He has admitted that he used to work as temporary teacher prior to 24/12/2018. He could not produce any original work done certificate to establish that he ever worked as Asstt. Teacher at Lalbandh Hossainia Sr. Madrasah, Bankura. No such direction was given by the Hon'ble Supreme Court in C.A.No. 5808/2017 to appoint Mr. Dayamoy Kari as Assistant Teacher. In view of meeting No. 9/2018 dated 03/09/2019 Dayamoy Kari was appointed purely on temporary basis as a contractual teacher on 03/09/2019. The claim of Dayamoy Kari that he has been working since 24/12/2018 is not correct. The rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016 were never complied this in matters of recruitment of Dayamoy Kari. The letter of appointment and joining letter of Dayamoy Kari have been manufactured. In short, the claim of Dayamoy Kari as legally recruited teacher of Lalbandh Hossainia Sr. Madrasah, Bankura is not maintainable in law and he is not entitled to get any relief in the matter under reference. The Superintendent, Md. Insan Ali Khan and District Inspector of School, Bankura (by producing a report) has categorically stated that Dayamoy Kari was never recruited as teacher following recruitment rules in the year 2018. The claim of Dayamoy Kari is not maintainable in law and he is not entitled to get any relief in the matter under reference.


1) Justice Debi Prosad Dey 31/07/2023
(Chairman)



2) Shri Manish Gupta 31/07/2023
(Member)

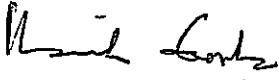

3) Shri Sripati Mukhopadhyay 31/07/2023
(Member)

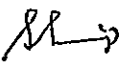
OBSERVATION

Sunanda Dana Assistant Teacher, Social Science (Pass). She could not produce any document to establish that he had B.Ed. degree on the date of her alleged recruitment or that she was recruited as Asstt. Teacher Social Science Group following Recruitment Rules No.486-MD/O/2M-11/2016 dated 03/03/2016. We do not find any Resolution in the Resolution Book of the Managing Committee to establish that Recruitment Rules being No. 486-MD/O/2M-11/2016 dated 03/03/2016 were followed/complied with by the Managing Committee in the alleged recruitment of Sunanda Dana.

Meeting No. 9/2019 dated 03/09/2019 reveals that Sunanda Dana was recruited temporarily purely on contractual basis without following the rules of recruitment. She could not produce any work done certificate from the Teacher In-charge of the Madrasah. We do not find her signature in the official attendance register. Md. Insan Ali Khan, Superintendent of the Madrasah and D.I. of Schools, Bankura (by filing report) have categorically stated that Sunanda Dana was never recruited following the recruitment rules and she never worked as legally recruited teacher in Lalbandh Hossainia Sr. Madrasah, Bankura. The letter of appointment and joining letter and Photostat copies of work done certificate appears to have been manufactured for the purpose of this verification process. The claim of Sunanda Dana is not maintainable in law and she is not entitled to get any relief as prayed for.

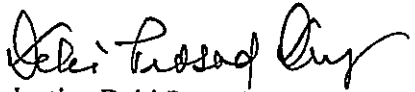
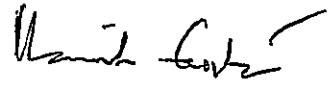
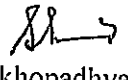

1) Justice Debi Prosad Dey
(Chairman) 31/07/2023


2) Shri Manish Gupta 31/07/2023
(Member)


3) Shri Sripati Mukhopadhyay 31/07/2023
(Member)

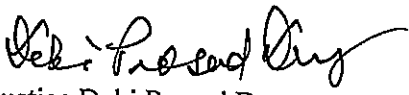
OBSERVATION

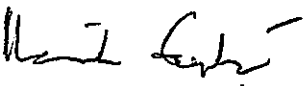
Admittedly, Sk.Samaun Assistant Teacher, Bengali (Pass) was never recruited following the Recruitment Rules being No. 486-MD/O/2M-11/2016 dated 03/03/2016. He could not produce any document to show that he used to work as Assistant Teacher since 24/12/2018 or that work done certificate was granted in his favour by the Superintendent of Lalbandh Hossainia Sr. Madrasah. On careful scrutiny of the Resolution Book, we do not find any whisper about recruitment of Sk.Samaun following Recruitment Rules being no. 486-MD/O/2M-11/2016 dated 03/03/2016. There is no signature of Sk.Samaun in the official attendance register. Md. Insan Ali Khan, Superintendent of Lalbandh Hossainia Sr. Madrasah has also stated that Sk.Samaun never worked as Assistant Teacher of the Madrasah. The D.I. of School, Bankura also stated by filing a report that Sk.Samaun was never recruited as Assistant Teacher of the Madrasah following Recruitment Rules being No. 486-MD/O/2M-11/2016 dated 03/03/2016. The letter of appointment, joining report and the coloured Xerox of work done certificate have been prepared for the purpose of the verification process. He was never recruited following the Recruitment Rules being No. 486-MD/O/2M-11/2016 dated 03/03/2016 and he is not entitled to get any relief as prayed for.

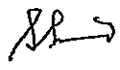
- 
1) Justice Debi Prosad Dey
(Chairman) 31/07/2023
- 
2) Shri Manish Gupta 31/07/2023
(Member)
- 
3) Shri Sripati Mukhopadhyay 31/07/2023
(Member)

OBSERVATION

Abdul Hamid Khan had claimed himself to be Group 'C' employee of Lalbandh Hossainia Sr. Madrasah. There is absolutely no resolution in the official resolution book that Abdul Hamid Khan was recruited as Group-'C' employee of Lalbandh Hossainia Sr. Madrasah following the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016. He could not produce any work done certificate or any document to show that he used to work as Gr-'C' in that Madrasah. Md. Insan Ali Khan, the Superintendent of Lalbandh Hossainia Sr. Madrasah relying on Meeting No. 9/2019 dated 03/09/2019 stated that Abdul Hamid Khan was appointed purely contractual basis as clerk on 03/09/2019 but in fact, he never worked as clerk of the Madrasah. D.I. of Bankura by filing report has also stated that Abdul Hamid Khan was never recruited following the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016. The letter of appointment, joining report and Photostat copy of work done certificate have been manufactured for the purpose of verification process. He was never recruited following the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016 and he is not entitled to get any relief as prayed for.


1) Justice Debi Prosad Dey
(Chairman) 21/07/2023

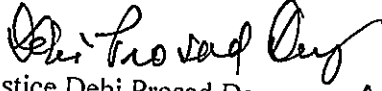

2) Shri Manish Gupta
(Member) 21/07/2023

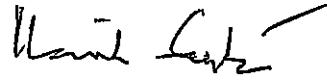

3) Shri Sripati Mukhopadhyay
(Member) 31/07/2023

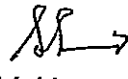
OBSERVATION

Sirajul Bayen Group-D. He has admitted that he was never recruited following the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016. He could not produce any document to establish that he ever was recruited or worked in Lalbandh Hossainia Sr. Madrasah as Gr.'D' employee. He also could not produce any attendance register/certified copy of attendance register or any original work done certificate to establish that he used to work in the Lalbandh Hossainia Sr. Madrasah as Gr.'D' employee. Md. Insan Ali Khan the Superintendent of Lalbandh Hossainia Sr. Madrasah by referring meeting no. 9/2019 dated 03/09/2019 has categorically stated that Sirajul Bayen was recruited purely on contractual basis on 03.09.2019 but he never worked in the Lalbandh Madras as Gr.'D' employee. The joining report, appointment letter and the Photostat copy of work done certificate have been manufactured for the purpose of this verification process. The Hon'ble Supreme Court never directed in C.A. No. 5808/2017 to appoint Sirajul Bayen as Gr.'D' employee. The D.I. of Schools Bankura has also filed a report stating *inter alia* that no Gr-'D' employee was recruited following the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016.

We have no hesitation to say that Sirajul Bayen never worked as Gr-'D' employee and he was never recruited following the rules of recruitment in the Lalbandh Hossainia Sr. Madrasah, Bankura. The claim of Sirajul Bayen as Gr.'D' employee of Lalbandh Hossainia Sr. Madrasah is not maintainable and he is not entitled to get any relief as prayed for.


1) Justice Debi Prosad Dey 31/07/2023
(Chairman)

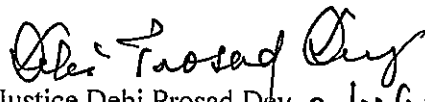
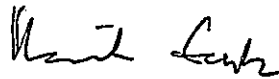
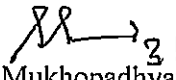

2) Shri Manish Gupta 31/07/2023
(Member)


3) Shri Sripati Mukhopadhyay 31/07/2023
(Member)

OBSERVATION

Rumpa Dey Assistant Teacher(UG). Admittedly, Rumpa Dey never appeared in any written examination or before any Interview Board for being recruited as Teacher of in Lalbandh Hossainia Sr. Madrasah, Bankura. She further admitted that she used to work as temporary Teacher in Lalbandh Hossainia Sr. Madrasah, Bankura prior to 24/12/2018. She could not file the original attendance register to show that she used to work in the Madrasah as legally recruited teacher. There is no direction of the Hon'ble Supreme Court in C.A.No. 5808/2017 to appoint Rumpa Dey as Assistant Teacher of in Lalbandh Hossainia Sr. Madrasah, Bankura. Md. Insan Ali Khan, Superintendent of Lalbandh Hossainia Sr. Madrasah, Bankura stated by referring meeting No. 9/2018 dated 03.09.2019 that Rumpa Dey was appointed purely on temporary and contractual basis, but she never worked as Assistant Teacher in Lalbandh Hossainia Sr. Madrasah, Bankura. No signature of Rumpa Dey was found in the attendance register. D.I. of School Bankura also submitted a report stating *inter alia* that Rumpa Dey was never recruited following Recruitment rules as Assistant Teacher in Lalbandh Hossainia Sr. Madrasah, Bankura.

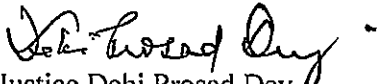
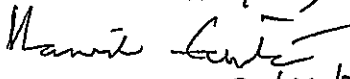
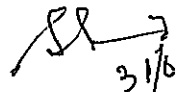
The letter of appointment, joining report and the coloured Photostat of work done certificate have been prepared for the purpose of the verification process and such documents have been manufactured. She has not been legally recruited following Recruitment Rules being No. 486-MD/O/2M-11/2016 dated 03/03/2016 and she has not entitled to get any relief in terms of her prayer.

- 
1) Justice Debi Prosad Dey 21/07/2023
(Chairman)
- 
2) Shri Manish Gupta 21/07/2023
(Member)
- 
3) Shri Sripati Mukhopadhyay 21/07/2023
(Member)

OBSERVATION

Swati Mandal, Assistant Teacher (Under Graduate) is claiming herself to be a regular Assistant Teacher of Lalbandh Hossainia Sr. Madrasah, Bankura. She also admitted that she never appeared in any written examination or never appeared before any Interview Board for being recruited as a Teacher of Lalbandh Hossainia Sr. Madrasah, Bankura. It is evident that she could not file any Work Done Certificate on and from 01/04/2021 till date. There is no direction of the Hon'ble Supreme Court to appoint the incumbent concerned in C.A. No. 5808/2017 dated 17/05/2018. She had no requisite qualification on the date of her alleged appointment since he acquired B.Ed. Degree in the year 2021. In the year 2018, the Recruitment Rules published in Kolkata Gazette Notification dated 04/03/2016 (486-MD/O/2M-11/2016 dated 03/03/2016 dated 03/03/2016) were applicable but, the Rules were never followed by the Recruitment Authority. Resolution No. 9/2019 dated 03/09/2019 of the Managing Committee reveals that the present incumbent including other eight persons were appointed "As teacher on contractual voluntary basis". The Superintendent of Lalbandh Hossainia Sr. Madrasah, Bankura stated that the Managing Committee wanted to recruit teachers by publishing in the Newspaper but, District Inspector of School, Bankura vide letter no. 3304/S rejected such proposal holding *inter alia* that SLP No. 6661/2016 was pending before the Hon'ble Supreme Court. The Managing Committee challenged the said decision of D.I. of School, Bankura but, the Hon'ble High Court in W.P. No. 17914/2018 rejected such Writ Petition imposing exemplary cost of Rs. One Lakh.

After going through the claim of the petitioner, Swati Mandal, we find that her claim is not maintainable in law and she was never recruited following Recruitment Rules as Teacher of Lalbandh Hossainia Sr. Madrasah, Bankura. No Resolution was found in favour of her claim. On the contrary, she was recruited on contractual voluntary basis on 03/09/2019. No signature of the incumbent was found in the official Attendance Register. The claim of Swati Mandal has to be rejected for the reason mentioned in the foregoing paragraph. In absence of any signature of Swati Mandal in the official Attendance Register, we may safely conclude that the appointment letter, joining letter of Swati Mandal were manufactured and she never worked as regular teacher in the Lalbandh Hossainia Sr. Madrasah, Bankura. The D.I of Schools submitted a report stating *inter alia* that Swati Mandal was never recruited as permanent employee following rules of recruitment as per Govt. Notification No. 486-MD/O/2M-11/2016 dated 03/03/2016 dated 03/03/2016.

- 
1) Justice Debi Prosad Dey
(Chairman) 28/07/2023
- 
2) Shri Manish Gupta 31/07/2023
(Member)
- 
3) Shri Sripati Mukhopadhyay
(Member) 31/07/2023