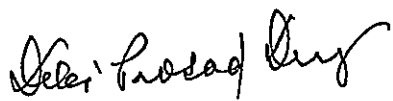
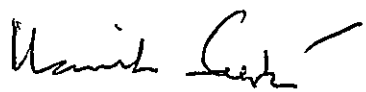


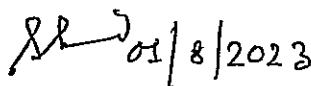
## OBSERVATION

Maruk Karfi, Gr. 'D':-The petitioner, Maruk Karfi is claiming that he has been working as casual Group 'D' employee in Sammilani High Madrasah, Dist. Bankura since 2012 and in terms of order dated 17/05/2018, in Civil Appeal No. 5808/2017, he was appointed in the said Madrasah. The Headmaster of Sammilani High Madrasah issued work done certificate stating inter alia that Maruk Karfi was appointed in the Sammilani High Madrasah as a Group 'D' (Peon) category on 28/06/2018 and he has been working since 02/07/2018. A separate attendance register has been produced without having any signature of the Headmaster therein to show that Maruk Karfi has been attending the Madrasah. The Resolution dated 22/06/2018 reveals that the service of Maruk Karfi was made permanent under 10% Management Quota since Maruk Karfi has been working on voluntary basis since long. The Headmaster, however, categorically stated that Maruk Karfi was never recruited following the Rules of Recruitment being no. 486-MD/O/2M-11/2016 dated 03/03/2016 in the year 2018. The vacancy of Gr. 'D' employee was filled upon the basis of such resolution of the Managing Committee and no Selection Committee was ever formed in terms of the Rules of Recruitment with the knowledge of the District Inspector of Schools, Bankura to recruit Maruk Karfi. Mr. Pijus Kanti Bera, the D.I. of Schools, Bankura submitted a report stating *inter alia* that Maruk Karfi was never recruited following the Rules of Recruitment and no paper was sent to him by Sammilani High Madrasah Authority for approval of the service of Maruk Karfi.

We are of the considered opinion that Maruk Karfi has been working as Casual Gr. 'D' employee but, he was never recruited following the Rules of Recruitment by the Madrasah. The alleged letter of appointment also reveals that he was not recruited following the Rules of Recruitment.

  
1) Justice Debi Prosad Dey  
(Chairman) 08/08/2023

  
2) Shri Manish Gupta 07/08/2023  
(Member)

  
3) Shri Sripati Mukhopadhyay  
(Member)