

## OBSERVATION

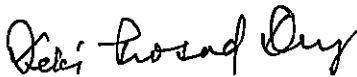
Asmaul Husna, Assistant Teacher, English (H/PG) : The petitioner having no requisite qualification to be appointed as Assistant Teacher, she is claiming that in terms of letter of appointment issued by the Managing Committee on 30.01.2016, she joined the Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas on 08.02.2016 and has been working there since then. As per the petitioner, she was recruited on the basis of the interview and she never appeared for any written examination. Sk. Abdul Aziz, the Teacher-in-Charge of Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas has stated that the petitioner was recruited on the basis of "Walk-in-Interview" by the Managing Committee. That clearly goes to show that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015.

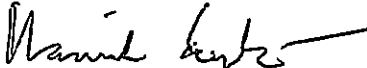
The A.D.I. Basirhat was never informed about recruitment of the petitioner as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. The A.D.I., Basirhat specifically stated that the petitioner was never recruited following the Rules of Recruitment and the recruitment of the petitioner is contrary to the directions given by the Hon'ble High Court in W.P.A. No. 11889/2019 (Aparesh Mondal & Others – vs – State). On scrutiny of the Resolution Book of the Managing Committee, we find that some teachers were recruited on the basis of interview and accordingly the appointment was given by the Managing Committee. It is crystal clear from the resolutions dated 04.01.2016, 29.01.2016 & 10.02.2016 that the petitioner was never recruited following the Rules of Recruitment. The statement of A.D.I., Basirhat and the Teacher-in-Charge also show that the petitioner was never recruited following the Rules of Recruitment.

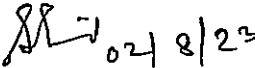
The A.D.I., Basirhat has, however, stated that the service of the petitioner was approved by the then A.D.I. erroneously, contrary to the provision to the recruitment rules and the directions given by the Hon'ble High Court in W.P.A. no. 11889/2019 (Aparesh Mondal & other – vs – State).

Under the circumstances stated above, we have no hesitation to show that the petitioner had no requisite qualification to be appointed as Assistant Teacher, was never recruited following Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. Therefore, the signature of the petitioner in separate Attendance Register or the photostat copy of the Work Done Certificate would not legalize the recruitment of the petitioner in accordance with law.

✓

  
1. Justice Debi Prosad Dey  
(Chairman) 04/08/2023

  
2. Shri Manish Gupta  
(Member) 04/08/2023

  
3. Shri Sripati Mukhopadhyay  
(Member)

## OBSERVATION

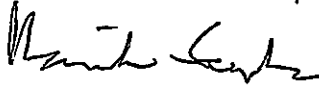
**Abdulla Tarafdar, Assistant Teacher, Bengali (Pass)** : The petitioner having no requisite qualification to be appointed as Assistant Teacher, she is claiming that in terms of letter of appointment issued by the Managing Committee on 30.01.2016, he joined the Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas on 08.02.2016 and has been working there since then. As per the petitioner, he was recruited on the basis of the interview and she never appeared for any written examination. Sk. Abdul Aziz, the Teacher-in-Charge of Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas has stated that the petitioner was recruited on the basis of "Walk-in-Interview" by the Managing Committee. That clearly goes to show that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015.

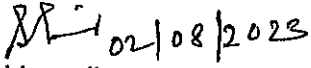
The A.D.I., Basirhat was never informed about recruitment of the petitioner as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. The A.D.I., Basirhat specifically stated that the petitioner was never recruited following the Rules of Recruitment and the recruitment of the petitioner is contrary to the directions given by the Hon'ble High Court in W.P.A. No. 11889/2019 (Aparesh Mondal & Others - vs - State). On scrutiny of the Resolution Book of the Managing Committee, we find that some teachers were recruited on the basis of interview and accordingly the appointment was given by the Managing Committee. It is crystal clear from the resolutions dated 04.01.2016, 29.01.2016 & 10.02.2016 that the petitioner was never recruited following the Rules of Recruitment. The statement of A.D.I., Basirhat and the Teacher-in-Charge also show that the petitioner was never recruited following the Rules of Recruitment.

The A.D.I., Basirhat has, however, stated that the service of the petitioner was approved by the then A.D.I. erroneously, contrary to the provision to the recruitment rules and the directions given by the Hon'ble High Court in W.P.A. no. 11889/2019 (Aparesh Mondal & other - vs - State).

Under the circumstances stated above, we have no hesitation to show that the petitioner had no requisite qualification to be appointed as Assistant Teacher, was never recruited following Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. Therefore, the signature of the petitioner in separate Attendance Register or the photostat copy of the Work Done Certificate would not legalize the recruitment of the petitioner in accordance with law.

  
1. Justice Debi Prosad Dey  
(Chairman) 02/08/2023

  
2. Shri Manish Gupta  
(Member) 02/08/2023

  
3. Shri Sripati Mukhopadhyay  
(Member) 02/08/2023

## OBSERVATION

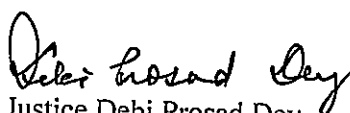
**Injimamul Hossain, Assistant Teacher, Arabic (Pass)** : The petitioner having no requisite qualification to be appointed as Assistant Teacher, he is claiming that in terms of letter of appointment issued by the Managing Committee on 30.01.2016, she joined the Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas on 08.02.2016 and has been working there since then. As per the petitioner, he was recruited on the basis of the interview and she never appeared for any written examination. Sk. Abdul Aziz, the Teacher-in-Charge of Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas has stated that the petitioner was recruited on the basis of "Walk-in-Interview" by the Managing Committee. That clearly goes to show that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. The A.D.I., Basirhat was never informed about recruitment of the petitioner as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015.

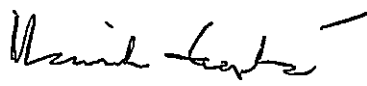
The A.D.I., Basirhat specifically stated that the petitioner was never recruited following the Rules of Recruitment and the recruitment of the petitioner is contrary to the directions given by the Hon'ble High Court in W.P.A. No. 11889/2019 (Aparesh Mondal & Others – vs – State). On scrutiny of the Resolution Book of the Managing Committee, we find that some teachers were recruited on the basis of interview and accordingly the appointment was given by the Managing Committee. It is crystal clear from the resolutions dated 04.01.2016, 29.01.2016 & 10.02.2016 that the petitioner was never recruited following the Rules of Recruitment. The statement of A.D.I., Basirhat and the Teacher-in-Charge also show that the petitioner was never recruited following the Rules of Recruitment.


The A.D.I., Basirhat has, however, stated that the service of the petitioner was approved by the then A.D.I. erroneously, contrary to the provision to the recruitment rules and the directions given by the Hon'ble High Court in W.P.A. no. 11889/2019 (Aparesh Mondal & other – vs – State).

Under the circumstances stated above, we have no hesitation to show that the petitioner had no requisite qualification to be appointed as Assistant Teacher, was never recruited following Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. Therefore, the signature of the petitioner in separate Attendance Register or the photostat copy of the Work Done Certificate would not legalize the recruitment of the petitioner in accordance with law. *The Petitioner never attended the Madrasah.*

✓

  
1. Justice Debi Prosad Dey 02/08/23  
(Chairman)

  
2. Shri Manish Gupta 02/08/23  
(Member)

  
3. Shri Sripati Mukhopadhyay 02/08/23  
(Member)

## OBSERVATION

Sk. Mahabur Rahaman, Assistant Teacher, Bio-Science (Pass) : The petitioner having no requisite qualification to be appointed as Assistant Teacher, he is claiming that in terms of letter of appointment issued by the Managing Committee on 30.01.2016, he joined the Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas on 08.02.2016 and has been working there since then. As per the petitioner, he was recruited on the basis of the interview and he never appeared for any written examination. Sk. Abdul Aziz, the Teacher-in-Charge of Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas has stated that the petitioner was recruited on the basis of "Walk-in-Interview" by the Managing Committee. That clearly goes to show that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015.

The A.D.I., Basirhat was never informed about recruitment of the petitioner as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. The A.D.I., Basirhat specifically stated that the petitioner was never recruited following the Rules of Recruitment and the recruitment of the petitioner is contrary to the directions given by the Hon'ble High Court in W.P.A. No. 11889/2019 (Aparesh Mondal & Others – vs – State). On scrutiny of the Resolution Book of the Managing Committee, we find that some teachers were recruited on the basis of interview and accordingly the appointment was given by the Managing Committee. It is crystal clear from the resolutions dated 04.01.2016, 29.01.2016 & 10.02.2016 that the petitioner was never recruited following the Rules of Recruitment. The statement of A.D.I., Basirhat and the Teacher-in-Charge also show that the petitioner was never recruited following the Rules of Recruitment.

The A.D.I., Basirhat has, however, stated that the service of the petitioner was approved by the then A.D.I. erroneously, contrary to the provision to the recruitment rules and the directions given by the Hon'ble High Court in W.P.A. no. 11889/2019 (Aparesh Mondal & other – vs – State).

Under the circumstances stated above, we have no hesitation to show that the petitioner had no requisite qualification to be appointed as Assistant Teacher, was never recruited following Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. Therefore, the signature of the petitioner in separate Attendance Register or the photostat copy of the Work Done Certificate would not legalize the recruitment of the petitioner in accordance with law.

✓  
1. Justice Debi Prosad Dey  
(Chairman) 02/08/2023

2. Shri Manish Gupta  
(Member) 02/08/2023

3. Shri Sripati Mukhopadhyay  
(Member) 02/08/2023

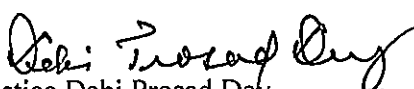
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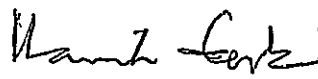
Jesmin Nahar, Assistant Teacher, Education (H/PG) : The petitioner having no requisite qualification to be appointed as Assistant Teacher, she is claiming that in terms of letter of appointment issued by the Managing Committee on 30.01.2016, she joined the Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas on 08.02.2016 and has been working there since then. As per the petitioner, she was recruited on the basis of the interview and she never appeared for any written examination. Sk. Abdul Aziz, the Teacher-in-Charge of Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas has stated that the petitioner was recruited on the basis of "Walk-in-Interview" by the Managing Committee. That clearly goes to show that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015.

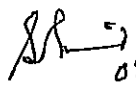
The A.D.I., Basirhat was never informed about recruitment of the petitioner as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. The A.D.I., Basirhat specifically stated that the petitioner was never recruited following the Rules of Recruitment and the recruitment of the petitioner is contrary to the directions given by the Hon'ble High Court in W.P.A. No. 11889/2019 (Aparesh Mondal & Others – vs – State). On scrutiny of the Resolution Book of the Managing Committee, we find that some teachers were recruited on the basis of interview and accordingly the appointment was given by the Managing Committee. It is crystal clear from the resolutions dated 04.01.2016, 29.01.2016 & 10.02.2016 that the petitioner was never recruited following the Rules of Recruitment. The statement of A.D.I., Basirhat and the Teacher-in-Charge also show that the petitioner was never recruited following the Rules of Recruitment.

The A.D.I., Basirhat has, however, stated that the service of the petitioner was approved by the then A.D.I. erroneously, contrary to the provision to the recruitment rules and the directions given by the Hon'ble High Court in W.P.A. no. 11889/2019 (Aparesh Mondal & other – vs – State).

Under the circumstances stated above, we have no hesitation to show that the petitioner had no requisite qualification to be appointed as Assistant Teacher, was never recruited following Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. Therefore, the signature of the petitioner in separate Attendance Register or the photostat copy of the Work Done Certificate would not legalize the recruitment of the petitioner in accordance with law.

  
1. Justice Debi Prosad Dey  
(Chairman) 02/08/2023

  
2. Shri Manish Gupta  
(Member) 02/08/2023

  
3. Shri Sripati Mukhopadhyay  
(Member) 02/08/2023


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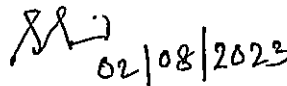
**Md. Abdur Rahaman Gazi, Assistant Teacher, Geography (H/PG)** : As per the petitioner, he was appointed on the basis of interview conducted by the Managing Committee and he never appeared in any written examination. The resolution dated 29.01.2016 also reveals that the petitioner was appointed on the basis of interview only. The procedure adopted for recruitment of the petitioner was not in accordance to the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015 and the petitioner thus, has not been recruited following the Rules of Recruitment in accordance with law. However, the A.D.I., Basirhat approved the service of the petitioner erroneously contrary to the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015 and directions passed by Hon'ble High Court in W.P. No. 11889 of 2019.

It is, therefore, apparent from the statement of the Headmaster, A.D.I., Basirhat, the petitioner and the resolution adopted by the Managing Committee that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. Therefore, the photostat copies of Work Done Certificate of the petitioner coupled with his signature in separate Attendance Register would not legalize his appointment in the Madrasah.

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1. Justice Debi Prosad Dey 02/08/2023  
(Chairman)

  
2. Shri Manish Gupta 02/08/2023  
(Member)

  
3. Shri Sripati Mukhopadhyay 02/08/2023  
(Member)

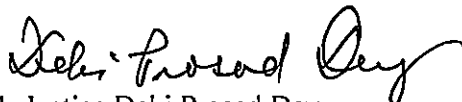
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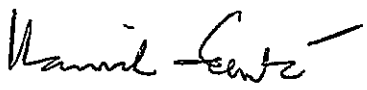
**Moumita Mondal, Assistant Teacher, Bio-Science (H/PG)** : The petitioner having no requisite qualification to be appointed as Assistant Teacher, she is claiming that in terms of letter of appointment issued by the Managing Committee on 30.01.2016, she joined the Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas on 08.02.2016 and has been working there since then. As per the petitioner, she was recruited on the basis of the interview and she never appeared for any written examination. Sk. Abdul Aziz, the Teacher-in-Charge of Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas has stated that the petitioner was recruited on the basis of "Walk-in-Interview" by the Managing Committee. That clearly goes to show that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015.

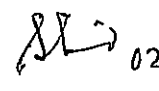
The A.D.I., Basirhat was never informed about recruitment of the petitioner as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. The A.D.I., Basirhat specifically stated that the petitioner was never recruited following the Rules of Recruitment and the recruitment of the petitioner is contrary to the directions given by the Hon'ble High Court in W.P.A. No. 11889/2019 (Aparesh Mondal & Others – vs – State). On scrutiny of the Resolution Book of the Managing Committee, we find that some teachers were recruited on the basis of interview and accordingly the appointment was given by the Managing Committee. It is crystal clear from the resolutions dated 04.01.2016, 29.01.2016 & 10.02.2016 that the petitioner was never recruited following the Rules of Recruitment. The statement of A.D.I., Basirhat and the Teacher-in-Charge also show that the petitioner was never recruited following the Rules of Recruitment.

The A.D.I., Basirhat has, however, stated that the service of the petitioner was approved by the then A.D.I. erroneously, contrary to the provision to the recruitment rules and the directions given by the Hon'ble High Court in W.P.A. no. 11889/2019 (Aparesh Mondal & other – vs – State).

Under the circumstances stated above, we have no hesitation to show that the petitioner had no requisite qualification to be appointed as Assistant Teacher, was never recruited following Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. Therefore, the signature of the petitioner in separate Attendance Register or the photostat copy of the Work Done Certificate would not legalize the recruitment of the petitioner in accordance with law.

  
1. Justice Debi Prosad Dey 02/08/2023  
(Chairman)

  
2. Shri Manish Gupta 02/08/2023  
(Member)

  
3. Shri Sripati Mukhopadhyay 02/8/2023  
(Member)

## OBSERVATION

**Rita Farmuda Yesmin, Assistant Teacher, Math (H/PG)** : The petitioner having no requisite qualification to be appointed as Assistant Teacher, she is claiming that in terms of letter of appointment issued by the Managing Committee on 30.01.2016, she joined the Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas on 08.02.2016 and has been working there since then. As per the petitioner, she was recruited on the basis of the interview and she never appeared for any written examination. Sk. Abdul Aziz, the Teacher-in-Charge of Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas has stated that the petitioner was recruited on the basis of "Walk-in-Interview" by the Managing Committee. That clearly goes to show that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. The A.D.I., Basirhat was never informed about recruitment of the petitioner as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015.

The A.D.I., Basirhat specifically stated that the petitioner was never recruited following the Rules of Recruitment and the recruitment of the petitioner is contrary to the directions given by the Hon'ble High Court in W.P.A. No. 11889/2019 (Aparesh Mondal & Others – vs – State). On scrutiny of the Resolution Book of the Managing Committee, we find that some teachers were recruited on the basis of interview and accordingly the appointment was given by the Managing Committee. It is crystal clear from the resolutions dated 04.01.2016, 29.01.2016 & 10.02.2016 that the petitioner was never recruited following the Rules of Recruitment. The statement of A.D.I., Basirhat and the Teacher-in-Charge also show that the petitioner was never recruited following the Rules of Recruitment.

The A.D.I., Basirhat has, however, stated that the service of the petitioner was approved by the then A.D.I. erroneously, contrary to the provision to the recruitment rules and the directions given by the Hon'ble High Court in W.P.A. no. 11889/2019 (Aparesh Mondal & other – vs – State).

Under the circumstances stated above, we have no hesitation to show that the petitioner has no requisite qualification to be appointed as Assistant Teacher, was never recruited following Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. Therefore, the signature of the petitioner in separate Attendance Register or the photostat copy of the Work Done Certificate would not legalize the recruitment of the petitioner in accordance with law.

✓

*Debi Prosad Dey*  
1. Justice Debi Prosad Dey 01/08/2023  
(Chairman)

*Manish Gupta*  
2. Shri Manish Gupta 02/08/2023  
(Member)

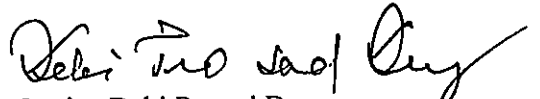
*Sri Sripati Mukhopadhyay*  
3. Shri Sripati Mukhopadhyay 02/8/2023  
(Member)




## OBSERVATION

Safiul Haque Mistry, Assistant Teacher, Physical Education (Pass) : As per the petitioner, he was appointed on the basis of interview conducted by the Managing Committee and he never appeared in any written examination. The resolution dated 29.01.2016 also reveals that the petitioner was appointed on the basis of interview only. The procedure adopted for recruitment of the petitioner was not in accordance to the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015 and the petitioner thus, has not been recruited following the Rules of Recruitment in accordance with law. However, the A.D.I., Basirhat approved the service of the petitioner erroneously contrary to the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015 and directions passed by Hon'ble High Court in W.P. No. 11889 of 2019.

It is, therefore, apparent from the statement of the Headmaster, A.D.I., Basirhat, the petitioner and the resolution adopted by the Managing Committee that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. Therefore, the photostat copies of Work Done Certificate of the petitioner coupled with his signature in separate Attendance Register would not legalize his appointment in the Madrasah.

  
1. Justice Debi Prosad Dey  
(Chairman) 02/08/2023

  
2. Shri Manish Gupta  
(Member) 02/08/2023

  
3. Shri Sripati Mukhopadhyay  
(Member)

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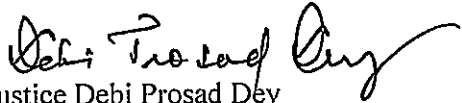
## OBSERVATION

Rajaul Akter Alam, Assistant Teacher, Arabic (H/PG) : The petitioner having no requisite qualification to be appointed as Assistant Teacher, he is claiming that in terms of letter of appointment issued by the Managing Committee on 30.01.2016, he joined the Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas on 08.02.2016 and has been working there since then. As per the petitioner, he was recruited on the basis of the interview and she never appeared for any written examination. Sk. Abdul Aziz, the Teacher-in-Charge of Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas has stated that the petitioner was recruited on the basis of "Walk-in-Interview" by the Managing Committee. That clearly goes to show that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015.

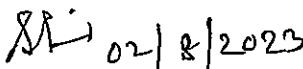
The A.D.I., Basirhat was never informed about recruitment of the petitioner as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. The A.D.I., Basirhat specifically stated that the petitioner was never recruited following the Rules of Recruitment and the recruitment of the petitioner is contrary to the directions given by the Hon'ble High Court in W.P.A. No. 11889/2019 (Aparesh Mondal & Others - vs - State). On scrutiny of the Resolution Book of the Managing Committee, we find that some teachers were recruited on the basis of interview and accordingly the appointment was given by the Managing Committee. It is crystal clear from the resolutions dated 04.01.2016, 29.01.2016 & 10.02.2016 that the petitioner was never recruited following the Rules of Recruitment. The statement of A.D.I., Basirhat and the Teacher-in-Charge also show that the petitioner was never recruited following the Rules of Recruitment.

The A.D.I., Basirhat has, however, stated that the service of the petitioner was approved by the then A.D.I. erroneously, contrary to the provision to the recruitment rules and the directions given by the Hon'ble High Court in W.P.A. no. 11889/2019 (Aparesh Mondal & other - vs - State).

Under the circumstances stated above, we have no hesitation to show that the petitioner has no requisite qualification to be appointed as Assistant Teacher, was never recruited following Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. Therefore, the signature of the petitioner in separate Attendance Register or the photostat copy of the Work Done Certificate would not legalize the recruitment of the petitioner in accordance with law.

  
1. Justice Debi Prosad Dey  
(Chairman) 02/08/2023

  
2. Shri Manish Gupta 02/08/2023  
(Member)

  
3. Shri Sripati Mukhopadhyay 02/8/2023  
(Member)

✓

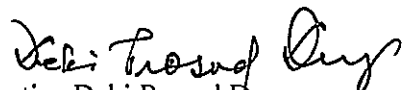
## OBSERVATION

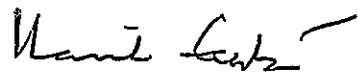
**Aparesh Mandal, Assistant Teacher, Math (Pass) :** The petitioner having no requisite qualification to be appointed as Assistant Teacher, he is claiming that in terms of letter of appointment issued by the Managing Committee on 30.01.2016, he joined the Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas on 08.02.2016 and has been working there since then. As per the petitioner, he was recruited on the basis of the interview and he never appeared for any written examination. Sk. Abdul Aziz, the Teacher-in-Charge of Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas has stated that the petitioner was recruited on the basis of "Walk-in-Interview" by the Managing Committee. That clearly goes to show that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. The A.D.I., Basirhat was never informed about recruitment of the petitioner as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015.

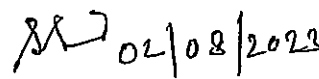
The A.D.I., Basirhat specifically stated that the petitioner was never recruited following the Rules of Recruitment and the recruitment of the petitioner is contrary to the directions given by the Hon'ble High Court in W.P.A. No. 11889/2019 (Aparesh Mondal & Others – vs – State). On scrutiny of the Resolution Book of the Managing Committee, we find that some teachers were recruited on the basis of interview and accordingly the appointment was given by the Managing Committee. It is crystal clear from the resolutions dated 04.01.2016, 29.01.2016 & 10.02.2016 that the petitioner was never recruited following the Rules of Recruitment. The statement of A.D.I., Basirhat and the Teacher-in-Charge also show that the petitioner was never recruited following the Rules of Recruitment.

The A.D.I., Basirhat has, however, stated that the service of the petitioner was approved by the then A.D.I. erroneously, contrary to the provision to the recruitment rules and the directions given by the Hon'ble High Court in W.P.A. no. 11889/2019 (Aparesh Mondal & other – vs – State).

Under the circumstances stated above, we have no hesitation to show that the petitioner had no requisite qualification to be appointed as Assistant Teacher, was never recruited following Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. Therefore, the signature of the petitioner in separate Attendance Register or the photostat copy of the Work Done Certificate would not legalize the recruitment of the petitioner in accordance with law.

  
1. Justice Debi Prosad Dey  
(Chairman) 02/08/2023

  
2. Shri Manish Gupta 02/08/2023  
(Member)

  
3. Shri Sripati Mukhopadhyay  
(Member)

## OBSERVATION

Md. Mahafuzar Rahaman Laskar, Assistant Teacher, Arabic (H/PG) : The petitioner having no requisite qualification to be appointed as Assistant Teacher, he is claiming that in terms of letter of appointment issued by the Managing Committee on 30.01.2016, he joined the Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas on 08.02.2016 and has been working there since then. As per the petitioner, he was recruited on the basis of the interview and he never appeared for any written examination. Sk. Abdul Aziz, the Teacher-in-Charge of Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas has stated that the petitioner was recruited on the basis of "Walk-in-Interview" by the Managing Committee. That clearly goes to show that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015.

The A.D.I., Basirhat was never informed about recruitment of the petitioner as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. The A.D.I., Basirhat specifically stated that the petitioner was never recruited following the Rules of Recruitment and the recruitment of the petitioner is contrary to the directions given by the Hon'ble High Court in W.P.A. No. 11889/2019 (Aparesh Mondal & Others - vs - State). On scrutiny of the Resolution Book of the Managing Committee, we find that some teachers were recruited on the basis of interview and accordingly the appointment was given by the Managing Committee. It is crystal clear from the resolutions dated 04.01.2016, 29.01.2016 & 10.02.2016 that the petitioner was never recruited following the Rules of Recruitment. The statement of A.D.I., Basirhat and the Teacher-in-Charge also show that the petitioner was never recruited following the Rules of Recruitment.

The A.D.I., Basirhat has, however, stated that the service of the petitioner was approved by the then A.D.I. erroneously, contrary to the provision to the recruitment rules and the directions given by the Hon'ble High Court in W.P.A. no. 11889/2019 (Aparesh Mondal & other - vs - State).

Under the circumstances stated above, we have no hesitation to show that the petitioner has no requisite qualification to be appointed as Assistant Teacher, was never recruited following Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. Therefore, the signature of the petitioner in separate Attendance Register or the photostat copy of the Work Done Certificate would not legalize the recruitment of the petitioner in accordance with law.

✓  
1. Justice Debi Prosad Dey  
(Chairman) 02/08/2023

2. Shri Manish Gupta  
(Member) 02/08/2023

3. Shri Sripati Mukhopadhyay  
(Member) 02/08/2023

## OBSERVATION

Nashrin Parveen, Assistant Teacher, Bio-Science (Pass) : As per the petitioner, she was appointed on the basis of interview conducted by the Managing Committee and she never appeared in any written examination. The resolution dated 29.01.2016 also reveals that the petitioner was appointed on the basis of interview only. The procedure adopted for recruitment of the petitioner was not in accordance to the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015 and the petitioner thus, has not been recruited following the Rules of Recruitment in accordance with law. However, the A.D.I., Basirhat approved the service of the petitioner erroneously contrary to the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015 and directions passed by Hon'ble High Court in W.P. No. 11889 of 2019.

It is, therefore, apparent from the statement of the Headmaster, A.D.I., Basirhat, the petitioner and the resolution adopted by the Managing Committee that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. Therefore, the photostat copies of Work Done Certificate of the petitioner coupled with her signature in separate Attendance Register would not legalize her appointment in the Madrasah.

✓  
1. Justice Debi Prosad Dey  
(Chairman) 02/08/2023

2. Shri Manish Gupta  
(Member) 02/08/2023

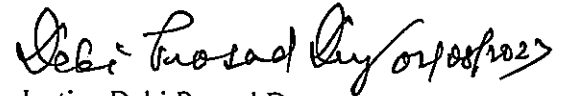
3. Shri Sripati Mukhopadhyay  
(Member) 02/08/2023

## OBSERVATION

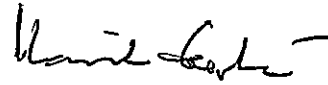
**Md. Mohinul Haque Molla, Group - D :** As per the petitioner, he was appointed as Group – D employee in Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas and thereafter he has been working in the Madrasah on and from 09.02.2016 as casual employee.

The Teacher-in-Charge specifically stated that the petitioner was never recruited following the Rules of Recruitment and his service was never approved by any authority. The A.D.I., Basirhat, Santa Das also corroborated that the service of non-Teaching staff of such Madrasah was never approved from her office and they were not recruited following prescribed Rules of Recruitment. The resolution dated 04.01.2016 & 29.01.2016 also reveals that Rules of Recruitment were not followed in the appointment of the petitioner.

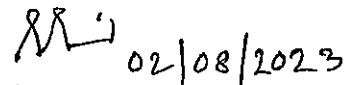
Under the circumstances stated above, we are confident to say that the petitioner was never recruited following the Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09.02.2015 or 486-MD/O/2M-11/2016 dated 03.03.2016 and the photostat copy of Work Done Certificate and signature in the separate Attendance Register would not legalize the recruitment of the petitioner.



1. Justice Debi Prosad Dey  
(Chairman)



2. Shri Manish Gupta 02/08/2023  
(Member)



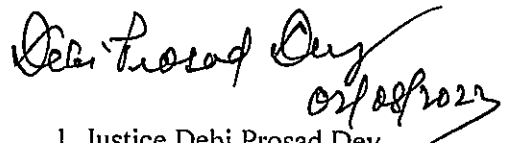
3. Shri Sripati Mukhopadhyay  
(Member)

## OBSERVATION

Abul Hasan Molla, Group-D : As per the petitioner, he was appointed as Group – D employee in Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas and thereafter he has been working in the Madrasah.

The Teacher-in-Charge specifically stated that the petitioner was never recruited following the Rules of Recruitment and his service was never approved by any authority. The A.D.I., Basirhat, Santa Das also corroborated that the service of non-Teaching staff of such Madrasah was never approved from her office and they were not recruited following prescribed Rules of Recruitment. The resolution dated 04.01.2016 & 29.01.2016 also reveals that Rules of Recruitment were not followed in the appointment of the petitioner.

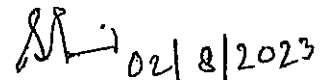
Under the circumstances stated above, we are confident to say that the petitioner was never recruited following the Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09.02.2015 or 486-MD/O/2M-11/2016 dated 03.03.2016 and the photostat copy of Work Done Certificate and signature in the separate Attendance Register would not legalize the recruitment of the petitioner.

  
02/08/2023

1. Justice Debi Prosad Dey  
(Chairman)



2. Shri Manish Gupta  
(Member)

  
02/08/2023

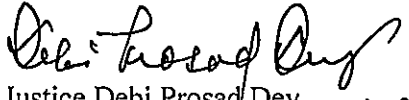
3. Shri Sripati Mukhopadhyay  
(Member)

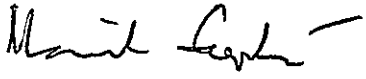
## OBSERVATION

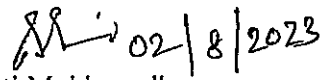
**Arzina Sahaji, Group - D :** As per the petitioner, she was appointed as Group – D employee on 16.09.2019 of Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas and thereafter she has been working in the Madrasah.

The Teacher-in-Charge specifically stated that the petitioner was never recruited following the Rules of Recruitment and her service was never approved by any authority. The A.D.I., Basirhat, Santa Das also corroborated that the service of non-Teaching staff of such Madrasah was never approved from her office and they were not recruited following prescribed Rules of Recruitment. The resolution dated 04.01.2016 & 29.01.2016 also reveals that Rules of Recruitment were not followed in the appointment of the petitioner.

Under the circumstances stated above, we are confident to say that the petitioner was never recruited following the Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09.02.2015 or 486-MD/O/2M-11/2016 dated 03.03.2016 and the photostat copy of Work Done Certificate and signature in the separate Attendance Register would not legalize the recruitment of the petitioner.

  
1. Justice Debi Prosad Dey  
(Chairman) 07/08/2023

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

  
3. Shri Sripati Mukhopadhyay  
(Member) 02/8/2023



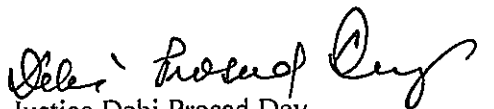
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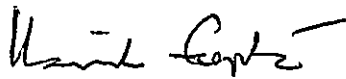
Mosaddek Hossain, Group - D : As per the petitioner, he was appointed on the basis of an interview as Group – D employee on 30.01.2016 of Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas and thereafter he has been working in the Madrasah on and from 09.02.2016.

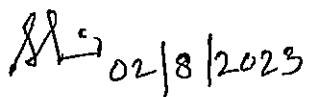
The Teacher-in-Charge specifically stated that the petitioner was never recruited following the Rules of Recruitment and his service was never approved by any authority. The A.D.I., Basirhat, Santa Das also corroborated that the service of non-Teaching staff of such Madrasah was never approved from her office and they were not recruited following prescribed Rules of Recruitment. The resolution dated 04.01.2016 & 29.01.2016 also reveals that Rules of Recruitment were not followed in the appointment of the petitioner.

Under the circumstances stated above, we are confident to say that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015 and the photostat copy of Work Done Certificate and signature in the separate Attendance Register would not legalize the recruitment of the petitioner.

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1. Justice Debi Prosad Dey  
(Chairman) 02/08/2023

  
2. Shri Manish Gupta 02/08/2023  
(Member)

  
3. Shri Sripati Mukhopadhyay  
(Member)

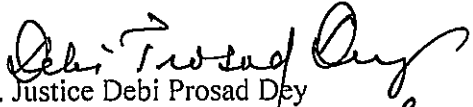
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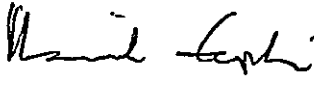
**Siddiqullah Gazi, Group - D :** As per the petitioner, he was appointed on the basis of an interview as Group – D employee on 30.01.2016 of Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas and thereafter he has been working in the Madrasah on and from 09.02.2016.

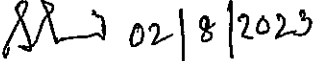
The Teacher-in-Charge specifically stated that the petitioner was never recruited following the Rules of Recruitment and his service was never approved by any authority. The A.D.I., Basirhat, Santa Das also corroborated that the service of non-Teaching staff of such Madrasah was never approved from her office and they were not recruited following prescribed Rules of Recruitment. The resolution dated 04.01.2016 & 29.01.2016 also reveals that Rules of Recruitment were not followed in the appointment of the petitioner.

Under the circumstances stated above, we are confident to say that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015 and the photostat copy of Work Done Certificate and signature in the separate Attendance Register would not legalize the recruitment of the petitioner.

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1. Justice Debi Prosad Dey  
(Chairman) 02/08/2023

  
2. Shri Manish Gupta  
(Member) 02/08/2023

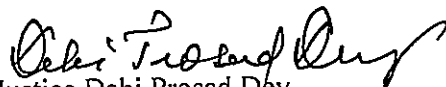
  
3. Shri Sripati Mukhopadhyay  
(Member) 02/8/2023

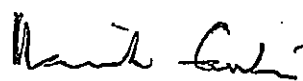
## OBSERVATION


Azizur Rahaman Molla, Group-D : As per the petitioner, he was appointed on the basis of an interview as Group-D employee on 30.01.2016 of Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas and thereafter he has been working in the Madrasah on and from 09.02.2016.

The Teacher-in-Charge specifically stated that the petitioner was never recruited following the Rules of Recruitment and his service was never approved by any authority. The A.D.I., Basirhat, Santa Das also corroborated that the service of non-Teaching staff of such Madrasah was never approved from her office and they were not recruited following prescribed Rules of Recruitment. The resolution dated 04.01.2016 & 29.01.2016 also reveals that Rules of Recruitment were not followed in the appointment of the petitioner.

Under the circumstances stated above, we are confident to say that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015 and the photostat copy of Work Done Certificate and signature in the separate Attendance Register would not legalize the recruitment of the petitioner.

  
1. Justice Debi Prosad Dey  
(Chairman) 02/08/2023

  
2. Shri Manish Gupta 02/08/2023  
(Member)

  
3. Shri Sripati Mukhopadhyay 02/08/2023  
(Member)

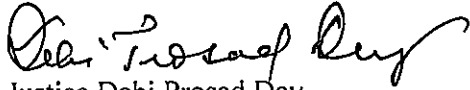
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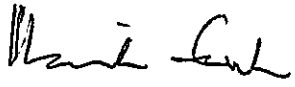
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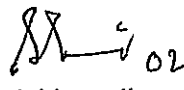
Sabir Uddin Mir, Group-C (Clerk) : As per the petitioner, he was appointed on the basis of an interview as Group-C employee on 30.01.2016 of Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas and thereafter he has been working in the Madrasah on and from 08.02.2016. Admittedly, the petitioner was never recruited following the Rules of Recruitment Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. The said fact has been corroborated by the A.D.I., Basirhat, Santa Das and Sk. Abdul Aziz, Teacher-in-Charge of the Madrasah.

The Teacher-in-Charge specifically stated that the petitioner was never recruited following the Rules of Recruitment and his service was never approved by any authority. The A.D.I., Basirhat, Santa Das also corroborated that the service of non-Teaching staff of such Madrasah was never approved from her office and they were not recruited following prescribed Rules of Recruitment. The resolution dated 04.01.2016 & 29.01.2016 also reveal that Rules of Recruitment were not followed in the appointment of the petitioner.

Under the circumstances stated above, we are confident to say that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015 and the photostat copy of Work Done Certificate and signature in the separate Attendance Register would not legalize the recruitment of the Petitioner.

  
1. Justice Debi Prosad Dey  
(Chairman) 02/08/2023

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2. Shri Manish Gupta 02/08/2023  
(Member)

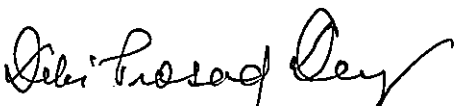
  
3. Shri Sripati Mukhopadhyay 02/8/2023  
(Member)

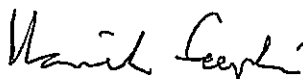
## OBSERVATION

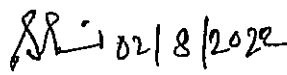
Sanjay Mondal, Group-C (Clerk) : As per the petitioner, he was appointed on the basis of an interview as Group-C employee on 30.01.2016 of Sundarban H.M.T.A.A. High Madrasah (H.S), North 24 Parganas and thereafter he has been working in the Madrasah on and from 08.02.2016. Admittedly, the petitioner was never recruited following the Rules of Recruitment Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015. The said fact has been corroborated by the A.D.I., Basirhat, Santa Das and Sk. Abdul Aziz, Teacher-in-Charge of the Madrasah.

The Teacher-in-Charge specifically stated that the petitioner was never recruited following the Rules of Recruitment and his service was never approved by any authority. The A.D.I., Basirhat, Santa Das also corroborated that the service of non-Teaching staff of such Madrasah was never approved from her office and they were not recruited following prescribed Rules of Recruitment. The resolution dated 04.01.2016 & 29.01.2016 also reveal that Rules of Recruitment were not followed in the appointment of the petitioner.

Under the circumstances stated above, we are confident to say that the petitioner was never recruited following the Rules of Recruitment as per Govt. notification no. 93-SE/S/10R-14/2013 dated 09.02.2015 and the photostat copy of Work Done Certificate and signature in the separate Attendance Register would not legalize the recruitment of the petitioner.

  
1. Justice Debi Prosad Dey  
(Chairman) 02/08/2022

✓  
  
2. Shri Manish Gupta 02/08/2022  
(Member)

  
3. Shri Sripati Mukhopadhyay  
(Member)