

10.04.2014
(PP)

W. P. No.3529 (W) of 2014

**Abdul Mazed Gazi
Vs.
The State of West Bengal & Ors.**

Mr. Sarwar Jahan,
Md. Mojnu Sk.

.....for the petitioner.

Mr. S. N. Bhattacharjya,
Ms. Sucharita Roy

....for the State.

Having heard the learned advocates for the parties and upon perusing the instant application as well as the report in the form of an affidavit, it appears that the only issue that falls for consideration is whether the petitioner, who is engaged as a Sahayak of a Sishu Shiksha Kendra is entitled to be designated as a Mukhya Sahayak and get such benefits as a Mukhya Sahayak.

From the report in the form of an affidavit filed on behalf of the Block Development Officer, Canning-I Development Block, District – South 24-Parganas, it appears that the petitioner was working as a Sahayak in the concerned Sishu Shiksha Kendra since 2005, whereas the private respondent no.5 was working in the same Sishu Shiksha Kendra since 2004. From the available records, it shows that the petitioner is not the seniormost in the list, and as such cannot be the Mukhya Sahayak.

Although the learned advocate for the petitioner has drawn this Court's attention to a computerised printout of certain details which his client downloaded from the website of the department of School Education, this Court is of the view that the same cannot override what is there in the original records, relevant copies whereof have been annexed to the report in the form of an affidavit. It is clear from those records that the petitioner was engaged as a Sahayak on 2nd May, 2005. As such, the contention of the petitioner that he was actually working from 2003 is inconsequential.

In such circumstances, there is no scope for the writ Court to grant such reliefs, as prayed for by the petitioner, inter alia, for quashing of the order dated 8th January, 2014, issued by the Block Development Officer, Canning-I Development Block, District – South 24-Parganas.

The writ petition is liable to be dismissed and is accordingly dismissed.

(Biswanath Somadder, J.)