

23.12.2020

Item No.08
Court No.25
Avijit Mitra

W.P.A. No. 2913 of 2020 (Via Video Conference)

**In re: Anupam Das
- Versus -
State of West Bengal & Ors.**

Mr. Aniket Mitra,
Mr. Bhaskar Prasad Banerjee,
Mr. Parashar Baidya
For the Petitioner

Mr. Santanu Mitra,
Mr. Amartya Pal
For the Council

The present writ petition has been preferred challenging the inaction on the part of the West Bengal Council of Higher Secondary Education (in short, the said Council) to complete the selection process pertaining to the post of an assistant secretary.

Mr. Aniket Mitra, learned advocate appearing for the petitioner submits that an advertisement for the said post was published on 12th July, 2019. The petitioner duly applied and thereafter he was called for a written test and a computer proficiency test on 14th December, 2019, as would be explicit from the call-letter dated 5th December, 2019, annexed at page 53 of the writ petition. The petitioner duly participated in the said written test and the computer proficiency test on the scheduled date but thereafter the said Council has not taken any steps to conduct the *viva voce* and to complete the selection process. Aggrieved thereby, the petitioner has approached this Court.

Mr. Santanu Mitra, learned advocate appearing for the Council submits that challenging the selection process pertaining to the concerned post, a writ petition was preferred and due to pendency of the same and due to the prevailing pandemic situation, the *viva voce* could not be conducted. However, the writ petition has been dismissed on 5th September, 2019 and the Council has not received any notice as regards any appeal preferred against the said order.

In view thereof, there exists no hurdle towards completion of the selection process pertaining to the post of assistant secretary in the said Council.

Accordingly, this Court directs the Council to conduct the *viva voce* and to complete the selection process pertaining to the concerned post of assistant secretary, in accordance with law within a period of three months from date.

With the above observations and directions, the writ petition is disposed of.

There shall however be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all requisite formalities.

(Tapabrata Chakraborty, J.)