

24.12.2020
Item No.04
Court No.25
Krishnendu

**W.P.A. No.8263 of 2020
(Via Video Conference)**

In re: Sourove Dandapat
- Versus -
The State of West Bengal & Ors.

Mr. Ekramul Bari
Mr. S.S. Mondal
Mrs. Tanuja Basak
For the Petitioner
Mr. Arindam Chattopadhyay
Mrs. Lipika Chatterjee
For the State
Dr. Sutanu Kumar Patra
Mrs. Supriya Dubey
For the Commission

The present writ petition has been preferred primarily praying for the following relief:

(a) A writ of or in the nature of Mandamus do issue commanding the respondents, their agents, servants, subordinates, employees and/or assignees particularly the West Bengal School Service Commission, to allow the petitioner to participate in the counseling for the post of Assistant Teacher of History in connection to 1st State Level Selection Test-2016 (XI-XII) and to issue the recommendation letter in favour of the petitioner considering his rank position;

Mr. Bari, learned advocate appearing for the petitioner submits that the petitioner participated in the 1st State Level Selection Test-2016 in respect of a post of Assistant Teacher in History for the classes XI and XII. He emerged to be

successful in the written examination and was called for personality test. He duly participated in the same and his name was included in the wait list and his rank was 41. Mr. Bari alleges that all the candidates in the waitlist were called for counselling, save and except the petitioner. Such fact was intimated to the Chairman of the Commission by a letter dated 10th February, 2020 but the same was also not considered. Aggrieved thereby, the petitioner has approached this Court.

When the matter appeared before this Court on 10th December, 2020, this Court directed Dr. Patra, learned advocate appearing for the Commission, to avail necessary instruction.

Today Dr. Patra, learned advocate, submits that the petitioner's rank in the waiting list was 41 having secured 91 marks. The last candidate from the waiting list, who was called for counselling, was having rank 27 and the said candidate secured 91.67 marks. Accordingly, the petitioner was not called for counselling.

In view of such submission made by Dr. Patra, this Court is unable to grant the relief, as prayed for by the petitioner, and the writ petition is, accordingly, dismissed.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned advocates for the parties.

(Tapabrata Chakraborty, J.)