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WPA 470 of 2021

(Alauddin Mallick & Ors. – Vs -The State of West Bengal & Ors.)

With

WPA 471 of 2021

(Sukanta Pal & Ors. – Vs -The State of West Bengal & Ors.)

With

WPA 472 of 2021

(Md. Abuhena Mostafa Kamal & Ors.. – Vs -The State of West Bengal & Ors.)

With

WPA 473 of 2021

(Amit Majhi & Ors. – Vs -The State of West Bengal & Ors.)

With

WPA 477 of 2021

(Sayani Mondal. – Vs -The State of West Bengal & Ors.)

With

WPA 480 of 2021

(Swapna Barman & Ors. – Vs -The State of West Bengal & Ors.)
with

WPA 483 of 2021

(Arijit Chattopadhyay. – Vs -The State of West Bengal & Ors.)

With

WPA 490 of 2021

(Ragia Sultna & Ors. – Vs -The State of West Bengal & Ors.)

With

WPA 504 of 2021

(Somenath Das Adhikary & Ors. – Vs -The State of West Bengal & Ors.)

With

WPA 511 of 2021

(Chandan Das & Ors. – Vs -The State of West Bengal & Ors.)

With

WPA 528 of 2021

(Mizanur Rahaman Baidya & Anr. – Vs -The State of West Bengal & Ors.)

With

WPA 533 of 2021

(Suman Dana & Ors. – Vs -The State of West Bengal & Ors.)

with

WPA 537 of 2021

(Anindya Samanta & Ors.. – Vs -The State of West Bengal & Ors.)

with

WPA 539 of 2021

(Sujauddin Shaikh & Ors.. – Vs -The State of West Bengal & Ors.)

With

WPA 543 of 2021

(Nandita Singhmahapatra & Ors. – Vs -The State of West Bengal & Ors.)

With

WPA 546 of 2021

(Sagar Chandra Paul & Anr. – Vs -The State of West Bengal & Ors.)

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WPA 555 of 2021

(Shila Karati & Ors. – Vs -The State of West Bengal & Ors.)

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WPA 556 of 2021

(Md. Abrar.. – Vs -The State of West Bengal & Ors.)

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WPA 559 of 2021

(Tumpa Dhara – Vs -The State of West Bengal & Ors.)

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WPA 560 of 2021

(Sandip Kundu & Ors.. – Vs -The State of West Bengal & Ors.)

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WPA 561 of 2021

(Brindaban Das & Ors.. – Vs -The State of West Bengal & Ors.)

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WPA 564 of 2021

(Abira Maity. – Vs -The State of West Bengal & Ors.)

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WPA 566 of 2021

(Sumit Paul & Ors. – Vs -The State of West Bengal & Ors.)

With

WPA 567 of 2021

(Arka Roy Chowdhury. – Vs -The State of West Bengal & Ors.)

With

WPA 568 of 2021

(Hasibul Islam & Ors.. – Vs -The State of West Bengal & Ors.)

With

WPA 575 of 2021

(Archana Mukherjee. – Vs -The State of West Bengal & Ors.)

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WPA 576 of 2021

(Kalpana Hazra . – Vs -The State of West Bengal & Ors.)

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WPA 577 of 2021

(Pashupati Mandal & Ors.. – Vs -The State of West Bengal & Ors.)

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WPA 578 of 2021

(Sanim Momin. – Vs -The State of West Bengal & Ors.)

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WPA 573 of 2021

(Asim Nandi & Ors... – Vs -The State of West Bengal & Ors.)

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WPA 580 of 2021

(Manas Kumar Sardar & Ors.. – Vs -The State of West Bengal & Ors.)

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WPA 581 of 2021

(Nihar Ranjan Sarkar & Or.. – Vs -The State of West Bengal & Ors.)

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WPA 574 of 2021

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(Riya Maity & Ors.. – Vs -The State of West Bengal & Ors.)

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WPA 570 of 2021

(Rupali Mahato & Ors.. – Vs -The State of West Bengal & Ors.)

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WPA 583 of 2021

(Ruma Pradhan. – Vs -The State of West Bengal & Ors.)

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WPA 585 of 2021

(Pankaj Dutta & Ors.. – Vs -The State of West Bengal & Ors.)

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WPA 586 of 2021

(Jayatree Chakraborty. – Vs -The State of West Bengal & Ors.)

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WPA 587 of 2021

(Haidar Sk. & Ors.. – Vs -The State of West Bengal & Ors.)

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WPA 589 of 2021

(Md. Asharul Sk. & Ors.. – Vs -The State of West Bengal & Ors.)

with

WPA 590 of 2021

(Obaidur Rahaman & Ors.. – Vs -The State of West Bengal & Ors.)

With

WPA 597 of 2021

(Saiful Sardar & Ors... – Vs -The State of West Bengal & Ors.)

With

WPA 603 of 2021

(Laxmi Ghosh. – Vs -The State of West Bengal & Ors.)

With

WPA 606 of 2021

(Tapas Dey & Ors.. – Vs -The State of West Bengal & Ors.)

With

WPA 614 of 2021

(Rakesh Bera & Ors. – Vs -The State of West Bengal & Ors.)

With

WPA 617 of 2021

(Mallika Mahato & Ors.. – Vs -The State of West Bengal & Ors.)

With

WPA 618 of 2021

(Tapasi Bayen & Ors.. – Vs -The State of West Bengal & Ors.)

With

WPA 620 of 2021

(Madhumita Samanta – Vs -The State of West Bengal & Ors.)

With

WPA 623 of 2021

(Parbati Bera. – Vs -The State of West Bengal & Ors.)

With

WPA 572 of 2021

(Animesh Mukherjee & Anr.. – Vs -The State of West Bengal & Ors.)

Mr. Nitish Samanta,

**... For the Petitioners in
WPA 470 of 2021.**

Mr. L.K. Gupta,

Mr. Subir Sanyal,

Mr. Ratul Biswas,

...For the W.B.B.P.E.

All the above matters are taken up together as the cause of action in all the writ petitions are similar.

Learned Counsel appearing for the petitioners submits that the notification dated 23rd December, 2020 for recruitment process of Primary

Teacher issued by the West Bengal Board of Primary Education is not sustainable in the eye of law as the petitioners should be awarded marks for attempting wrong questions/ options in the key answers of JGB question booklet series. Learned Counsel further submits that as an interim measure the notification dated 23rd December, 2020 should be stayed.

Mr. Gupta, learned Counsel appearing for the West Bengal Board of Primary Education submits that the Board may allow the petitioners to submit applications offline pursuant to the notification dated 23rd December, 2020 and such applications may be duly considered during the recruitment process, provided they submit the applications within the time fixed in the said notification. Board shall be entitled to consider the eligibility of the petitioners as per the Recruitment Rules, 2016.

Heard both the parties.

In view of the above, I request the Secretary, West Bengal Board of Primary Education to allow the petitioners to submit applications offline pursuant to the notification dated 23rd December, 2020 and such applications may be duly considered during the recruitment process, provided they submit their applications by 8th January, 2021

though the notification specifies that the applications should be submitted by 6th January, 2021 and this order will be confined only to the petitioners considering the fact that the petitioners have approached the Court within 6th January, 2021. It is obvious that the West Bengal Board of Primary Education is entitled to consider the eligibility of the petitioners as per Recruitment Rules, 2016.

With the above direction all the above mentioned writ petitions are disposed of, however, no order as to costs.

Since no affidavit is called for, the allegations made in the writ petitions are deemed to have been denied.

Urgent certified website copy of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Rajarshi Bharadwaj, J.)