

Dl. January
3. 13, 2021

Through Video Conference

**3) MAT 13 of 2021
With
CAN 1 of 2021
With
CAN 2 of 2021**

**Sampa Panda & Ors.
Vs.
State of West Bengal & Ors.**

With

**4) MAT 23 of 2021
With
CAN 1 of 2021
With
CAN 2 of 2021**

**Chinmoy Debnath & Ors.
Vs.
State of West Bengal & Ors.**

With

**5) MAT 24 of
2021**

**With
CAN 1 of 2021
With
CAN 2 of 2021**

**Bhaskar Mandal & Ors.
Vs.
Manas Kumar Sardar & Ors.**

With

**6) MAT 25 of 2021
With
CAN 1 of 2021
With
CAN 2 of 2021**

**Roni Dutta & Ors.
Vs.
State of West Bengal & Ors.**

With

9) MAT 29 of 2021

With

CAN 1 of 2021

With

CAN 2 of 2021

Arpita Jana & Ors.

Vs.

State of West Bengal & Ors.

With

10) MAT 30 of 2021

With

CAN 1 of 2021

With

CAN 2 of 2021

Sanjoy Laha & Ors.

Vs.

State of West Bengal & Ors.

With

11) MAT 31 of 2021

With

CAN 1 of 2021

With

CAN 2 of 2021

Md. Iayadud Hossain & Ors.

Vs.

Manas Kumar Sardar & Ors.

With

12) MAT 32 of 2021

With

CAN 1 of 2021

With

CAN 2 of 2021

Goutam Ghosh & Ors.

Vs.

State of West Bengal & Ors.

With

13) MAT 33 of 2021

With

CAN 1 of 2021

With

CAN 2 of 2021

**Yarun Alia & Ors.
Vs.
Manas Kumar Sardar & Ors.**

With

**14) MAT 35 of 2021
With
CAN 1 of 2021
With
CAN 2 of 2021**

**Anuradha Ghosh & Ors.
Vs.
Manas Kumar Sardar**

With

**15) MAT 36 of 2021
With
CAN 1 of 2021
With
CAN 2 of 2021**

**Uttam Pramanik & Ors.
Vs.
Manas Kumar Sardar**

With

**16) MAT 37 of 2021
With
CAN 1 of 2021
With
CAN 2 of 2021**

**Debapriya Panja
Vs.
Manas Kumar Sardar**

With

**17) MAT 38 of 2021
With
CAN 1 of 2021
With
CAN 2 of 2021**

**Jaydeep Maity & Ors.
Vs.
State of West Bengal & Ors.**

With

19) MAT 40 of 2021

With

CAN 1 of 2021

With

CAN 2 of 2021

Shilpi Mondal

Vs.

Manas Kumar Sardar

With

20) MAT 42 of 2021

With

CAN 1 of 2021

With

CAN 2 of 2021

Tushar Kanti Deogharia

Vs.

Manas Kumar Sardar & Ors.

With

24) MAT 46 of 2021

With

CAN 1 of 2021

With

CAN 2 of 2021

Syed Ariful Islam & Ors.

Vs.

State of West Bengal & Ors.

(Via Video Conference)

Mr. Biswaroop Bhattacharya,
Ms. Reshmi Ghosh,
Mr. Soumya Sankar Chini,
...for the Appellants.

Mr. L.K. Gupta, Sr. Adv.,
Mr. Subir Sanyal,
Mr. Ratul Biswas
...for the W.B. Board of Primary
Education in Item Nos.3,5,10, 11,13,
14, 15, 16,19 & 20.

Mr. Partha Sarathi Bhattacharjee, Sr. Adv.,
 Mr. Sougata Mitra,
 Ms. Ankita Dey,
 ...for the Petitioner in Item
 Nos.5,10,11,13,14,15,16,19,20.

In all these matters, the applicants have prayed for leave to prefer appeals against the order passed by the learned Single Judge on January 7, 2021 in a batch of writ petitions.

These applications for leave to prefer appeal are like putting the cart before the horse. The applicants have filed these applications for leave to prefer appeal on the ground that the learned Single Judge by the order dated January 7, 2021 directed the Secretary, West Bengal Board of Primary Education to allow the petitioners covered by the said order to submit applications off-line pursuant to the notification dated December 23, 2020 and such applications were directed to be duly considered during the recruitment process provided the writ petitioners submit their applications by January 8, 2021 though the notification specifies that the applications should be submitted by January 6, 2021.

The basis of the judgment impugned herein appears to be that the said writ petitioners approached the learned Single Judge on or before January 6, 2021, which was the cut off date in terms of the notification dated December 23, 2020.

We are at a loss to understand how the prayer for leave to prefer appeals could be entertained, when the learned Single Judge has decided the matters in which the presence of the present applicants were not necessary. The applicants were neither

necessary nor proper parties in several writ petitions in which order dated January 7, 2021 was passed.

It is argued on behalf of the applicants that they are similarly placed as that of the writ petitioners, who have been benefited by the order dated January 7, 2021. Nothing prevented the present applicants to approach the learned Single Judge for similar reliefs if they feel that they are similarly placed.

In view of the fact that the present applicants are neither necessary nor proper parties in the writ proceedings disposed of by order dated January 7, 2021 and in deciding those writ petitions their presence were required or the order passed in the said writ proceedings are likely to affect or has affected the present applicants in any way, we are not inclined to grant leave to prefer appeals against the order dated January 7, 2021 leaving it to the applicants to pursue their remedies in accordance with law. Moreso, we are of the firm opinion that the applicants are not “persons aggrieved” who can file these applications for leave to prefer appeal.

We, however, make it clear that we have not gone into the merits of the matter.

The applications for leave to appeal are, thus, dismissed.

In view of dismissal of the applications for leave to prefer appeal, the memoranda of appeal and the connected applications for stay are rejected.

There will be no order as to costs.

Let photostat plain copies of this order duly

countersigned by the Assistant Registrar (Court) be made available to the learned advocates for the parties for taking steps in the matter.

(Soumen Sen, J.)

dns

(Saugata Bhattacharyya, J.)