

23. 08 . 2021

BP
Sl. 40
Court No. 17.

WPA 5013 of 2021
With
CAN 1 of 2021

(Via Video Conference)

Babusalam Mondal & Ors.
Vs.
State of West Bengal & Ors.

Mr. Partha Sarathi Bhattacharya
Mr. Dibyendu Chatterjee
Ms. Reshmi Ghosh
..for the petitioners.

Mr. L.K. Gupta, Sr. Adv.
Mr. Subir Sanyal
Mr. Ratul Biswas
..for the Board.

The prayer of the writ petitioners is for publishing the merit list along with all details of the participants like the petitioners with their marks in the written examination. Further prayer of the petitioners is that as the merit list published without all details, the merit list will be required to be cancelled.

Learned advocate for the West Bengal Board of Primary Education has drawn my attention to paragraphs 5 and 50 of the writ application where there are diametrically opposite averments as in paragraph 50 of the writ application that the petitioners are not only TET

qualified but also trained candidates as has been stated. This is really an incorrect and confusing statement made by the petitioners.

I wanted to know from the petitioners as to the Rule in the West Bengal Primary School Teachers Recruitment Rules, 2016 which says that all particulars of the candidates as has been prayed in prayer (c) of the writ application are to be published.

Learned advocate for the petitioners candidly submits that there is no such rule.

As there is no such rule for publishing the particulars of the candidates in the panel, I am not inclined to pass any order in favour of the petitioners and the writ application is dismissed.

The petitioners have filed an application also being CAN 1 of 2021 in connection with this writ application wherein the prayers are as follows:-

- (a) To set aside and/or cancel the notice dated 06.07.2021 by the West Bengal Board of Primary Education declaring the date of counseling;
- (b) To publish the merit list along with all details of the participants like your applicants their marks in the written examination, academic score and the marks obtained in personality test;

(c) Such further or other order or orders as your Lordships may deem fit and proper.

There being nothing new in the prayers though there may be several other averments, I am also not inclined to pass any order in this application except the order of dismissal.

(Abhijit Gangopadhyay, J.)

