

Ct. 05
Item No.105
29.09.2021
(suvendu)

WPA 5969 OF 2021

(VIA VIDEO CONFERENCE)

Md. Zasimuddin SK. & Anr.
Vs.
The State of West Bengal & Ors.

Mr. B.N.Ray
Ms. Shetparna Ray
.....for the petitioners
Mr. Supriyo Chattopadhyay
Ms. Itti Dutta
.....for the State
Mr. Ratul Biswas
.....for the Board

The writ petitioners were desirous candidates to be appointed in the post of Primary Teacher in connection with the selection process, which was initiated in the year 2020 pursuant to the notification dated 23rd December, 2020.

Mr. Bratindra Narayan Ray, learned advocate appears on behalf of the writ petitioners and submits that the grievance of the writ petitioners is that the petitioners are the eligible candidates for being appointed in the post of Primary Teachers as physically challenged candidates but the candidatures of the writ petitioners were not appraised by the West Bengal Board of Primary Education while preparing the merit list and panel for appointments in the post of Primary Teachers.

Mr. Ray submits that the writ petitioners ought to have been appointed in the posts of Primary Teachers upon considering their respective candidatures.

Mr. Ratul Biswas, learned advocate appears for the West Bengal Board of Primary Education and submits that no application has been made by the writ petitioners pursuant to the recruitment notification dated 23rd December, 2020 issued by the Board and therefore there is no scope left open to the Board to consider the candidatures of the writ petitioners. Hence, the question of appointments of the writ petitioners does not arise.

This Court has considered the rival submissions made on behalf of the respective parties to this writ petition and finds that no applications offering candidatures of the writ petitioners have been made on behalf of the writ petitioners pursuant to the notification dated 23rd December, 2020 issued by the Board. Mr. Ray, during course of hearing, has not been able to indicate any statement made in the writ petition as well as in the supplementary affidavit filed today in support of the contention that due applications were made online pursuant to the said recruitment notification. In view of failure of the writ petitioners to submit online application

pursuant to the relevant recruitment notification, no order can be passed in favour of the writ petitioners.

Accordingly, the writ petition stands dismissed without any order as to costs.

Supplementary affidavit filed today on behalf of the writ petitioners is taken on record.

All parties to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties upon compliance with the necessary formalities.

(Saugata Bhattacharyya, J.)