

Court No. 24

06.08.2021

(Item No. 59)

(AB)

W.P.A. 5150 of 2020

(via video conference)

Panchanan Das

VS

The State of West Bengal & Ors.

Mr. Sibaji Kumar Das

..... For the petitioner

Mr. Supriyo Chattopadhyay

Mr. Sabyasachi Mondol

..... For the State

Mr. Manish Sen

Ms. Oishani Mukherjee

..... For the College

Affidavit of service filed in Court is taken on record.

The petitioner was a contractual teacher of the Purbasthali College. He was in service from the year 2010 to 2018. Thereafter there was a change in the eligibility criteria published by the University Grants Commission. The petitioner was terminated from the post, as he did not possess the necessary qualification.

The College for the purpose of filling up the vacancy published an advertisement. The petitioner participated in the selection process but was unsuccessful. Thereafter a further selection process was initiated by the College for filling up the separate vacant post in the subject Education. The petitioner again participated in the said selection process but miserably failed to qualify in the same.

After enhancement in the remuneration of the part time teachers by the State Government, the

petitioner has filed a representation before the Principal of the College in August, 2019 praying for consideration of his case. The instant writ petition has been filed in March, 2020.

It appears from the submissions made on behalf of the petitioner as well as the College that as the petitioner did not possess the requisite eligibility criteria he has been terminated from the post. The Court ought not to pass order in favour of a candidate for being appointed in a post in respect of which he does not possess the requisite qualification. An ineligible candidate cannot be permitted to be appointed.

In view of the aforesaid submissions no relief can be granted to the petitioner in the instant case.

The writ petition fails and is hereby dismissed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon completion of usual legal formalities.

(Amrita Sinha, J.)