

15.07.2021
item no.8
s. bhar
Ct.No. 17

WPA 10850 of 2021

(via video conference)

**Sk. Jamaluddin & ors.
-Vs-
The State of West Bengal & ors.**

Mr. Subir Sanyalfor the Petitioners

Mr. Sirsanya Bandopadhyay
Mr. Arka Kr. Nag ...for the State

Mr. Sutanu Kr. Patra
Mr. Supriya Dubeyfor the SSC

The petitioner has arrayed as party respondent, some candidates against whom some allegations have been made in the writ application. Learned advocate for the petitioner has drawn my attention to paragraph-36 of the writ application wherein he has alleged that the petitioners though have secured more marks than some of the candidates who are now have been made parties. The petitioners have not been named in the interview list dated 21st June, 2021.

In a matter of similar nature, this court passed an order on 9th July, 2021 in WPA No. 10789 of 2021 (Abhijit Ghosh Vs. State of West Bengal & ors.) granting liberty to the candidates to approach the School Service Commission by filing representation. Whether they would do so or not, is their discretion. This court is also directed the School Service Commission to take steps for dealing with the said representations. When the said order was

passed, a fresh interview list dated 8th July, 2021 had been in existence as published by the Commission pursuant to the direction of this court with the break up of marks and the reasons for non-inclusion of some candidates in the interview list. In the present writ application, there is no mentioning about the said subsequent interview list which now exists. The interview list which has been annexed to this writ application in Annexure-P/9 is interview list dated 21st June, 2021 which does not have any existence now for publication of the new list. Therefore, this writ application has been filed on the basis of a non-existent interview list. No supplementary affidavit disclosing the interview list published by the Commission on 8th July, 2021, has been placed before this court.

In view of the above, I do not find any merit in this writ application and I dismiss this writ application with a cost of Rs. 2000/- (Rupees two thousand only) to be paid to the High Court Legal Service Authority within a period of two weeks from date.

The writ application is dismissed.

All parties are to act on the server copy of this order duly downloaded from the website of this court.

(Abhijit Gangopadhyay, J.)