

Court No. 17

WPA 10868 of 2021

12.07.2021

(DL 22)

(S. Banerjee)

AKM Moniruzzaman & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Sudipta Dasgupta

... for the petitioners

Mr. Supriyo Chattopadhyay

Mr. Simanta Kabir

... for the State

Mr. Amal Kumar Datta

Mr. Kumar Jyoti Tewari

... for the Union

Mr. Sauvik Nandy

... for the NCTE

Dr. Sutanu Kumar Patra

Ms. Supriya Dubey

... for SSC

In this writ application the prayer of the writ petitioners inter alia is for a direction upon the West Bengal School Service Commission for not giving any effect or further effect to the interview list published in the website on 21st June, 2021 in respect of selection process initiated by advertisement dated 23rd September, 2016 and not to give any appointment in respect of the selection process and also to keep 12 posts of Assistant Teachers vacant in the Upper Primary Schools in the state of West Bengal. This appears from prayer (g) of the writ application.

However, the learned advocate for the petitioners states that today he presses only prayer (b) which is as follows:

“(b) A Writ in the nature of Mandamus commanding the respondent authorities to call each one of your petitioners in the interview

process while maintaining transparency in the entire selection procedure;”

In respect of the allegation of not maintaining transparency in the interview list this court has already passed orders in WPA 10789 of 2021 (*Abhijit Ghosh – Vs.- State of West Bengal & Ors.*).

In Annexure P-4 the writ petitioner has annexed one interview list which was published on 21st June, 2021 which does not have any effect after publication of a new interview list with all particulars published by the West Bengal Central School Service Commission on 9th July, 2021.

Therefore, first, I do not find anything to be decided in respect of prayer (g) of the writ application because the interview list dated 21st June, 2021 is not in existence as in the place of that list a new elaborate list giving particulars as to marks and reasons for not calling a candidate has been published by the West Bengal Central School Service Commission. With regard to prayer (b), I do not think any order can be passed in this respect because there is no allegation that transparency is not being maintained after publication of the list on 9th July, 2021. This writ application has been affirmed and filed on 28th June, 2021.

Therefore, I find this writ application is wholly without merit because new events have come into light by order of this court and, therefore, this writ application is dismissed with a cost of Rs. 2,000/- (Rupees two thousand only) to be paid to the High Court Legal Services Authority.

Learned advocate for the petitioners has intimated this court that full court fees in respect of the petitioners have been paid against entry no. A-6736 dated 9th July, 2021.

(Abhijit Gangopadhyay, J.)