

March 09, 2021

ARDR

(55)

**WPA 14386 of 2011**

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IA 1/2020

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CAN 2 of 2021

Aparna Manna

Vs.

The State of West Bengal & Ors.

Mr. Shamil ul Bari,

Mr. K. M. Hossain,

...for the petitioner.

Mr. Kanak Kiran Bandopadhyay,

...for the SSC.

Ms. Chaitali Bhattacharjee,

Mr. Kartick Chandra Kapas,

Mr. Arindam Chattopadhyay,

...for the State.

The grievance of the petitioner is directed against failure of the respondent authorities in recommending the name of the petitioner despite the fact that the petitioner was a successful candidate.

The State is represented and submits that the School Service Commission is the appropriate respondent.

The School Service Commission is represented and submits that due to a pending writ petition filed by another candidate, the name of the petitioner could not be recommended.

However, in the light of the subsequent events, the interim order in favour of the writ petitioner passed in WP 14349 (W) of 2010 has been vacated and

that writ petition has been dismissed by an order dated 5<sup>th</sup> March, 2020.

It is further submitted by the School Service Commission that appropriate steps for recommending the name of the petitioner would be taken in accordance with law.

In view of the submissions made on behalf of the School Service Commission, I dispose of this petition by directing the School Service Commission to take appropriate steps in accordance with law for recommending the name of the petitioner for appointment in the Post of Assistant Teacher in Physical Education (Pass) in the school selected by the petitioner at the relevant point of time. Such steps to be taken by the School Service Commission is conditional on the fact that a vacancy exists in the concerned school for the particular post.

With the aforesaid directions, WPA 14386 of 2011 and the connected applications stand disposed off.

**(Ravi Krishan Kapur, J.)**