

10.12.2021
SL No. 14
Court No. 24
(P.M)

**WPA 7532 of 2020
With
IA No. CAN 1 of 2020**

**Biplab Dey
Vs
The State of West Bengal & Ors.
(Via Video Conference)**

Mr. Dibyendu Chatterjee,
Mr. Piyali Paul,
Mr. Tirthankar Das
... for the petitioner

Mr. Subir Sanyal,
Mr. Ratul Biswas
... for the Board

Mr. Supriyo Chattopadhyay,
Ms. Iti Dutta
... for the State

As the matter has already been taken up by this Court no further order is required to be passed in the application. CAN 1 of 2020 is disposed of.

The petitioner claims to be a trained candidate who participated and qualified in TET 2014 examination. As the petitioner did not have the certificate of his training qualification at the time of the examination his prayer for appointment stood rejected.

The petitioner claims that thereafter in pursuance of the notice issued by the West Bengal Board of Primary Education on 2nd November, 2017 he forwarded his training certificate to the Board.

The notice dated 2nd November, 2017 mentions that the TET qualified candidates who have not been empanelled and also not been rejected after verification for recruitment – only such candidates as have passed the final examination of two year D.El.Ed Course/Two year D.Ed (Special Education) have been notified to submit in person, the documents mentioned for taking a decision regarding the next course of action positively during the office hours on and from 3rd November, 2017 to 9th November, 2017.

The documents to be submitted were:

1. Photocopy of TET Admit Card,
2. Photocopy of Online Application for recruitment,
3. Downloaded copy of Information for interview,
4. Photocopy of Mark-sheets.

According to the petitioner, pursuant to the aforesaid notice he went to the office of the respondent authorities to submit the provisional mark-sheet and copy of the result. On 8th November, 2017 the petitioner again went to the office of the respondent authorities but the authority refused to accept the provisional mark-sheet.

The petitioner has further alleged in paragraphs 18 and 19 of the writ petition that having no other alternative he made representation for consideration of his case in terms of the notice dated 2nd November,

2017. On 9th November, 2017 the provisional mark-sheets of the private respondents herein were accepted by the respondent Board, but the authority refused to accept the provisional mark-sheet of the petitioner.

Though the petitioner claims that he forwarded all the documents in support of his qualification to the office of the respondent authorities within 9th November, 2017 but there is nothing on record in support of the claim of the petitioner.

There is an undated representation addressed to the Minister of Education posted on 11th November, 2017 but there is no document to show that the petitioner submitted his original or provisional mark-sheet within the time as mentioned in the notice.

The petitioner claims that the authorities accepted the certificate of the private respondents and offered appointment to them but the case of the petitioner has been turned down.

Admittedly a time limit was fixed in the notice for submission of the documents. The petitioner ought to have submitted the documents in his support within the stipulated time frame. He has failed to adhere to the time limit fixed by the authority. No document has been produced before this Court to suggest that the time limit as fixed was extended.

Accordingly, the authorities cannot be blamed for not taking into consideration the said documents of the petitioner.

In view of the observations made herein above, no relief can be granted to the petitioner in this case.

The writ petition fails and is hereby dismissed.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)