

87,89,
96,103
,104,
105,
106
jks
Ct.
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06.01.2021.

WPA 11980 of 2020

(Dinabandhu Chanda & Anr. – Vs -The State of West Bengal & Ors.)

With

WPA 11985 of 2020

(Rahaman Mondal & Ors. – Vs -The State of West Bengal & Ors.)

With

WPA 16378 of 2019

(Jhimpa Roy. – Vs -The State of West Bengal & Ors.)

With

WPA 10002 of 2020

(Paramita Kundu – Vs -The State of West Bengal & Ors.)

With

WPA 10025 of 2020

(Sirin Sultana. – Vs -The State of West Bengal & Ors.)

With

WPA 10028 of 2020

(Jahrul Alam – Vs -The State of West Bengal & Ors.)

WPA 10029 of 2020

(Sariful Sk. – Vs -The State of West Bengal & Ors.)

**Mr. Subrata Mukhopadhyay,
Mr. Bandhu Brata Bhula,
... For the Petitioners in
WPA 11980 of 2020.**

**Mr. L.K. Gupta,
Mr. Subir Sanyal,
Mr. Ratul Biswas,
...For the W.B.B.P.E.**

All the above matters are taken up
together as the cause of action in all the writ

petitions are similar.

Learned Counsel appearing for the petitioners submits that the notification dated 23rd December, 2020 for recruitment process of Primary Teacher issued by the West Bengal Board of Primary Education is not sustainable in the eye of law as the petitioners should be awarded marks for attempting wrong questions/ options in the key answers of JGB question booklet series. Learned Counsel further submits that as an interim measure the notification dated 23rd December, 2020 should be stayed.

Mr. Gupta, learned Counsel appearing for the West Bengal Board of Primary Education submits that the Board may allow the petitioners to submit applications offline pursuant to the notification dated 23rd December, 2020 and such applications may be duly considered during the recruitment process, provided they submit the applications within the time fixed in the said notification. Board shall be entitled to consider the eligibility of the petitioners as per the Recruitment Rules, 2016.

Heard both the parties.

In view of the above, I request the Secretary, West Bengal Board of Primary Education to allow the petitioners to submit applications offline

pursuant to the notification dated 23rd December, 2020 and such applications may be duly considered during the recruitment process, provided they submit their applications by 8th January, 2021 though the notification specifies that the applications should be submitted by 6th January, 2021 and this order will be confined only to the petitioners considering the fact that the petitioners have approached the Court within 6th January, 2021. It is obvious that the West Bengal Board of Primary Education is entitled to consider the eligibility of the petitioners as per Recruitment Rules, 2016.

With the above direction all the above mentioned writ petitions are disposed of, however, no order as to costs.

Since no affidavit is called for, the allegations made in the writ petitions are deemed to have been denied.

Urgent certified website copy of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Rajarshi Bharadwaj, J.)