

08.02.2022
SL No. 9
Court No. 24
(P.M)

WPA 1082 of 2022

**Sanjita Biswas
Vs
The State of West Bengal & Ors.
(Via Video Conference)**

Mr. Debjit Mukherjee,
Ms. Dipanwita Ganguly
... for the petitioner

Mr. Ratul Biswas
... for the Board

Mr. Tapan Kr. Mukherjee,
Ms. Tuli Sinha
... for the State

The petitioner qualified in the TET-2014 Examination and her name was published in the statewide medium and category wise merit list of TET-2014 qualified and trained candidates against 478 vacancies from offline and online applicants not included in the merit list in terms of the recruitment notification dated 23rd December, 2020.

The grievance of the petitioner is that even though she is an empanelled candidate, no information was provided to her intimating the date of counselling.

It is the specific submission of the petitioner that the process of counselling is not yet over and an opportunity be given to her to participate in the counselling process.

The petitioner has applied before the Chairperson of the Board of Primary Education on 8th January, 2022 ventilating her grievances.

In the said representation she has mentioned that on 13th January, 2021 she got an opportunity to appear in the interview and on that date her testimonials and credentials were scrutinized.

On 23rd November, 2021 a list was published and her name was empanelled therein. Due to her physical illness she was bedridden and she failed to notice the list and the information which was published by the Board. Thereafter she got to know about the same and on 27th December, 2021 she visited the office of the Board wherefrom she was directed to contact the Council. She visited the Council as per the advice of the Board officials.

As no steps were taken for redressal of her grievances she filed the present writ petition.

Learned advocate representing the Board of Primary Education has submitted the instruction received from his client wherefrom it appears that in terms of the notification for State level counselling under No. 1406/BPE/2021 dated 24th November, 2021 the petitioner was called for the State level counselling along with other similarly placed candidates. A notification annexing the list of

candidates for State level counselling was published in two designated and dedicated websites of the Board. The time and date of her counselling was fixed at 12 noon on 1st December, 2021.

The petitioner failed to attend the counselling. The notification dated 24th November, 2021 published by the Board has been produced before this Court. The list of the candidates who were directed to appear for counselling is also before this Court.

It appears that the name of the petitioner was incorporated in the list. The petitioner, for reasons best known to her, failed to appear in the process of counselling.

Learned advocate for the Board submits that the process of counselling is long over and at this stage further opportunity of counselling cannot be granted to the petitioner.

It appears from the submissions of the parties that the petitioner's name was enlisted in the panel and she was requested to attend the counselling. For reasons best known to the petitioner she failed to appear in the said process. The petitioner has candidly admitted in her representation before the Board that due to her illness she could not participate in the counselling.

There is no apparent error or illegality on the part of the Board. The petitioner missed her chance to participate in the counselling possibly because of her ill health.

The petitioner ought to have kept constant regular watch in respect of the notices published by the Board from time to time regarding intimation of the date, time and venue of counselling. The representation of the petitioner clearly mentions that she was aware of the date of counselling but due to ill health she could not participate in the same.

In the facts and circumstances of the present case, no relief can be granted to the petitioner.

The writ petition fails and is hereby dismissed.

The instruction given by the learned advocate representing the Board be retained with the records.

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

(Amrita Sinha, J.)