

24.02.2022

82

SS

W.P.A. 2784 of 2022

Arkendu Bhattacharyya & ors.

Vs.

State of West Bengal & ors.

Mr. Dwarikanath Mukherjee

Mr. Abhijit Basu

... for the petitioners

Mr. Ratul Biswas

... for the Board

Let affidavit of service filed in Court be kept with the record.

The petitioners applied for participating in the recruitment process of primary school teachers in the 2016 recruitment process initiated by the West Bengal Board of Primary Education.

All the petitioners are TET qualified. They erroneously mentioned their category as “Exempted”.

Learned counsel appearing on behalf of the West Bengal Board of Primary Education submits that the benefit of reservation under the Exempted category cannot be allowed in favour of the petitioners as the petitioners do not belong to the said category.

However, it has been fairly submitted by the learned counsel that the petitioners may be accommodated in accordance with their respective castes after de-categorization and there is every likelihood that

the petitioners can be accommodated or enlisted in the list.

In view of the said submission, the Board is directed to take all necessary steps for treating the petitioners in accordance with their respective castes without extending the benefit of reservation meant for Exempted candidates.

Step shall be taken for de-categorization of the petitioners in accordance with the recruitment rules at the earliest, but positively within a period of three months from the date of communication of a copy of this order.

The writ petition has been filed by nineteen petitioners by submitting only one court fees. The learned advocate for the petitioners is directed to deposit the deficit court fees in respect of eighteen petitioners by tomorrow. In default, the order passed herein shall be restricted only in respect of the petitioner No. 1 and writ petition shall be deemed to have been dismissed in respect of the others.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)