

Court No. 24

15.03.2022

(Item No. 51)

(AB)

W.P.A. 3275 of 2022

Utpal Kisku & Ors.

VS

The State of West Bengal & Ors.

Mr. Bikash Chandra Das

..... for the petitioners

Mr. Swapan Kumar Datta

Mr. Dipankar Das Gupta

..... For the State

Mr. Supriyo Chattopadhyay

Ms. Iti Dutta

..... for DPSC, Dakshin Dinajpur

Affidavit of service filed in Court today is taken on record.

The petitioners participated in the recruitment process of Assistant Teachers conducted by the District Primary School Council, Dakshin Dinajpur in the year 2009. Several writ petitions were moved challenging the said recruitment process which ultimately went up before the Hon'ble Supreme Court.

The Hon'ble Supreme Court by an order dated January, 24, 2019 in exercise of power under Article 142 of the Constitution of India, to do complete justice inter se the parties, without interfering with the impugned judgment(s) passed by the High Court on a principle of law, directed that, the Primary Teachers who obtained their certificates from the institutes recognized by the State Government, will also be entitled to the weightage so long as they have filed the legal proceeding in the High Court on or before 31st December, 2010.

In the present case, the petitioners never approached this Court earlier. After getting knowledge of

the order passed by the Hon'ble Supreme Court in January, 2019, the petitioners filed the writ petition in February, 2022 praying for a direction to revisit the selection process.

I am afraid that as time has already been fixed by the Hon'ble Supreme Court for reconsideration of the case of the parties who approached the Court on or before 31st December, 2010, there is no scope for entertaining the present writ petition by extending the time fixed by the Hon'ble Supreme Court. There is hardly any scope to reopen the issue after such a belated period of time.

In view of the above, no relief can be granted to the petitioners in the instant case.

The writ petition fails and is hereby dismissed.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)