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29.03.2022.
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 5537 of 2022

**Amit Mondal & Ors.
-versus
State of West Bengal & Ors.**

**Mr. Dibyendu Chatterjee,
Ms. Reshmi Ghosh,
Ms. Piyali Paul.
...For the Petitioners.**

**Mr. Subir Sanyal,
Mr. Dawarik Nath Mukherjee,
Mr. Ratul Biswas.
...For the Board.**

**Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee.
...For the State.**

**Mr. Sauvik Nandy.
...For NCTE.**

The petitioners submit that the West Bengal Board of Primary Education published a notification for publication of the statewide merit list on 24th March, 2022.

In the said merit list, one candidate namely Sukur Ali Mandal has been categorized in the para teacher category.

The petitioners have averred in paragraph 68 of the writ petition that the said Sukur Ali Mandal is not at all a para teacher.

No document has been annexed to the writ petition in support of the said statement of the petitioners. The petitioners have simply made a bald allegation against the said candidate that he is not a para teacher. The said paragraph has been affirmed as true to the knowledge. Without any supporting document, the said statement cannot be relied upon by the petitioners.

The next contention of the petitioners is that marks secured by the candidates have not been disclosed in the merit list.

The petitioners failed to produce the supporting law which mandates disclosure of marks at the time of publication of the merit list.

It has been submitted by the learned advocates appearing for both the parties that the issue whether marks are to be disclosed at the time of publication of the panel is pending consideration before the Hon'ble Division Bench.

There is no supporting law, as of now, requiring disclosure of marks at the time of publication of the merit list.

Accordingly, the said point raised by the petitioners also cannot be accepted by the Court.

The third issue raised by the petitioners is that there is no indication in the merit list as to whether the reservation policy was strictly followed or not.

The merit list which has been published categorically mentions the category of the candidates and their ranks in the merit list.

According to the provisions of law, no further details are required to be disclosed at the time of publication of the merit list. There is no requirement of mentioning in the merit list as to whether the reservation policy was followed or not.

In the event the petitioners intend to obtain any information, it will be open for them to apply before the Board, under the provision of law, for obtaining necessary information.

The prayer of the petitioners for setting aside and cancelling the notification dated 24th March, 2022 cannot be accepted by the Court.

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.)