

26.07.2022
Court No.13
Item No.522
pk

WPA 6682 of 2017

**Somnath Chattopadhyay
Vs.
The State of West Bengal and Ors.**

Md. Salahuddin,
Md. Ahsanuzzaman,
Md. Raziuddin

... For the petitioner.

Supplementary affidavit filed in Court is taken on record.

The writ petitioner is aggrieved by an order dated 27.01.2017 passed by the Chairman, West Bengal School Service Commission in compliance with the order dated 20th September, 2016 passed by this Court in W. P. No. 7017 (W) of 2015.

The petitioner participated in the 6th RLST for recruitment to the post of Assistant Teacher conducted in the year 2005. The petitioner applied under the pure science (pass) category. The final merit list was published on 17.02.2006. The petitioner was ranked 113.

It appears from the impugned order that the last candidate who was selected against available vacancy was ranked 93. Pursuant to one vacancy that occurred in the combined rank for the candidate not joining, one Makhan Banerjee with a combined rank of 109 and having been wait listed against no. 1 was recruited. Admittedly, the petitioner was wait listed at no.2.

This Court, therefore, cannot find any infirmity in the impugned order or the non-selection of the petitioner.

At paragraph 9 of the writ petition, the petitioner has enlisted three persons with rank of 254, 258 and 340, having been appointed. The petitioner has also filed a supplementary affidavit asking for the entire merit list, the combined list as well as the waiting list and also the rank of each of the persons who were actually appointed. The respondents have not replied to the same.

In those circumstances, the writ petition is disposed of directing the Chairman, West Bengal Regional School Service Commission to specifically answer as to whether the said three persons mentioned in paragraph 9 of the writ petition have been appointed and as to whether they ranked below the petitioner and as to why those persons were appointed despite being ranked far lower than the petitioner.

Let the suitable answer be given by the Chairman, West Bengal Regional School Service Commission to the petitioner within a period of two months from the date of communication of a copy of this order in the form of a reply to a representation.

With the aforesaid observations, the writ petition is disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)