

Item No.7

23.02.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

WPA 8398 of 2021
Sajal Kumar Biswas
v.
The State of West Bengal & Ors.

Mr. Suddhadeb Adak
... for the petitioner.

Mr. Arindam Chattopadhyay
... for the Council.

Ms. Lipika Chatterjee
... for the State respondents.

Mr. Ratul Biswas
... for the Board.

The petitioner participated in the selection process for appointment of primary school teacher. He relied upon certain certificates copies of which have been annexed to the writ petition.

The learned advocate for the petitioner submits that the petitioner possessed the originals of the documents relied upon by him, but inadvertently he could not produce the same at the time of interview. He forwarded a communication over electronic mail to the respondent Board seeking time for production and scrutiny of the documents.

The petitioner has annexed a certificate issued by the University of Kashmir which mentions that the

petitioner is admitted in the degree of Bachelor of Education (B.Ed) with second division in theory and first division in Practice of Teaching (Regular Mode) through Mother Teresa College of Education, Tangmarg on December 8, 2016. The said certificate allegedly bears the signature of the Controller of the Examination and the Vice-Chancellor.

The petitioner has also annexed a Marks Card issued in his name allegedly by the University of Kashmir, Srinagar wherein the B.Ed session has been mentioned as December 2015-January 2016. The roll number mentioned in the said Marks Card is 1524349.

The petitioner has annexed a further certificate allegedly signed by the Principal of MTM Teachers Training College, Tangmarg (KMR) dated December 11, 2014. The certificate mentions that the petitioner sought B.Ed admission in session 2014-15 through the University of Kashmir, Srinagar in the College under College Roll No. 279. The said certificate mentions that the admission will be confirmed after proper verification of original documents by the University of Kashmir and clearance of tuition fees.

The roll number mentioned in the Marks Card of the petitioner does not tally with the roll number mentioned in the certificate dated December 11, 2014

allegedly issued in his favour by the Principal MTM Teachers Training College.

The certificate issued by the University of Kashmir mentions that the petitioner got admitted in the regular mode through the Mother Teresa College of Education. The certificate dated 11th December, 2014 relied upon by the petitioner is not of the Mother Teresa College of Education but it is of MTM Teachers Training College.

The certificate allegedly issued by the University of Kashmir mentions about the course being taught in the regular mode. The Marks Card relied upon by the petitioner mentions that the B.Ed session was for the period December 2015 to January 2016.

The certificate of the University of Kashmir mentions the date of admission as December 8, 2016 whereas the certificate relied upon by the petitioner issued by the Principal of MTM Teachers Training College dated December 11, 2014 mentions that the petitioner sought admission in B.Ed Session 2014-2015.

Though the Principal of MTM Teachers Training College issued the certificate on 11th December, 2014 but surprisingly the said certificate has been given in the letter head of one MTM College of Education.

It appears that there are several inconsistencies in the training certificate relied upon by the petitioner.

It is the specific case of the Council that the documents relied upon by the petitioner appeared to be forged and fabricated.

The Court upon perusal of the said documents is of the opinion that the same is certainly not the correct documents which have been relied upon by the petitioner.

It appears that the documents have been manufactured for the purpose for securing a job where training qualification is compulsory.

The genuinity of the certificates are extremely doubtful. The Court is not satisfied with the conduct of the petitioner.

Accordingly, the writ petition stands dismissed with costs assessed at Rs. 10,000/- to be paid by the petitioner in the office of the State Legal Service Authority within a fortnight from date.

It is made clear that in default of making the payment as indicated hereinabove, the Board shall not permit the petitioner to appear in any future recruitment process initiated by the Board.

The writ petition is dismissed.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)