

14.12.2022
Item No.A 43
Ct. No.17
S.A.

WPA 7126 of 2022

**Mizanur Rahaman @
Md. Mizanur Rahaman
-vs-
State of West Bengal & Ors.**

Mr. Habibur Rahaman
...for the petitioner
Mr. Saikat Banerjee
Mr. Ratul Biswas
Mr. Kaushik Chowdhury
...for the Board

The petitioner submits that he has crossed the age bar in 2021 because of the irresponsible attitude of the earlier ad-hoc committee of the West Bengal Board of Primary Education. The matter relates to six marks that were not given to the petitioner immediately after it was detected that six answers in the answer key were wrong. Subsequently when a list of 738 candidates were published by the earlier ad-hoc committee of the Board, he found his name as a successful candidate in TET, 2014 getting six marks. He demands that he should be treated as a candidate of 2016 and he should be given opportunity under the same directions of interview as were given to the 2016 interview Board by the earlier ad-hoc committee of the West Bengal Board of Primary Education.

I have to distinguish the earlier ad-hoc committee of the West Bengal Board of Primary

Education with the present ad-hoc committee of the West Bengal Board of Primary Education as because upto now what corruption and malpractice have come before this court for which the then President of the Board is now in custody and upto now no such allegation of corrupt practice has been made in respect of the present ad-hoc committee.

From the pleadings and from the submissions I find that this case is covered by one order passed by this court in WPA 9578 of 2022 (Nefaur Saikh vs. The State of West Bengal & Ors.). The order was passed on 31.10.2022. The entire order passed by this court in WPA 9578 of 2022 is reproduced herein below with a clarification that in the second last paragraph of the said judgement and order, some remarks have been made by this court which according to the learned advocate for the Board is a bit harsh. I am of the view that those are not harsh comments but only some comments are based on reality. However, the said comments are not made against the present ad-hoc committee of the West Bengal Board of Primary Education.

This court directs the Board to give equal opportunity in all respects following directions given in WPA 9578 of 2022 to the petitioner herein by constituting one interview board.

It is made clear that though the petitioner has a training qualification which he procured in 2010 as B.Ed. candidate, the petitioner should be treated as a trained candidate but no marks against training qualification would be given to him.

With the above observation and direction , this writ application is disposed of.

(Abhijit Gangopadhyay, J.)