

18.07.2022
Court No.13
Item No.76
AP

WPA 7485 of 2018

**Ms. Subhra Chatterjee
Vs.
The State of West Bengal and Ors.**

Mr. Sayan De
Mr. Sayan Kanjilal
Mr. Kaustav Shome
Ms. E. Acharya

... For the petitioner.

Mr. Kanak Kiran Bandyopadhyay

... For the SSC.

The petitioner is aggrieved by an order dated 9th January 2018 passed by the West Bengal Central School Service Commission. The said order was passed pursuant to the directions of this Court in WP No.21107(W) of 2017.

The brief facts of the case are that the petitioner succeeded in written and oral examination and was selected to the post of an Assistant Teacher. A letter of appointment was issued on 15th June 2011. The petitioner thereafter in September 2011, indicated that there was a mistake in the name of the school to which she was recommended. Instead of Muklishpur Jr. High School, the petitioner was appointed to Mukeishpur Jr. High School.

It is, however, curious to note that two other persons also posted to the same school with the same spelling mistake did join the school and continue to work thereat.

Finding fault on the part of the respondent is all the more injudicious since the petitioner by letter dated 21st September 2011 has asked for posting to a different place, rather than seeking name correction.

The petitioner chose not to join the school and remained silent.

While it is indeed true that the petitioner has been wronged because of the mistake by the School Service Commission, the petitioner's conduct deserves no special consideration since this Court is of the view that the petitioner was herself willfully and deliberately absent and did not join the school on her own volition.

The State submits that the said post offered to the petitioner has since been declared and notified as vacant for the next process of recruitment.

In those circumstances, this Court is not inclined to grant any relief to the petitioner.

The writ petition is, therefore, dismissed.

There shall 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.)