

24. 08. 2022

BP
ML 71
Court No. 17

WPA 11647 of 2022

Nazima Khatun
Vs.
The State of West Bengal & Ors.

Mr. Biswaroop Bhattacharya
Ms. Puja Mondal
..for the petitioner

Mr. Saikat Banerjee
Mr. Ratul Biswas
..for the Board
Mr. Sarwar Jahan
Mr. Nayeemul Haque
..for the respondent nos. 4 and 5

The petitioner's case is that he filed several writ applications and ultimately got an order that her case is to be considered by the Secretary of the West Bengal Board of Primary Education. The Secretary heard the matter as appears from page 62 of the writ application. The Secretary has stated :

“For fair and effective execution of the aforesaid Notice being Memo No. 2686/BPE/2017 dated 02.11.2017, the Board maintained a specific procedure for receiving the required documents from the eligible candidates. Accordingly, all the eligible candidates whosoever came in person to submit their required documents in the office of the undersigned during office hours on and from 3rd November, 2017 to 9th

November, 2017, their required documents, as specifically mentioned in the Memo dated 02.11.2017, after verification, were received by the office against receipt and all such eligible candidates were duly considered and appointed against available declared vacancies of the Recruitment Process of 2016.

The undersigned has gone through the entire writ petition and all its annexures including averments made in paragraph 8 of the writ petition. There is no averment of the petitioner as to the date when she submitted the documents in pursuance of the notification dated 02.11.2017. During hearing in person, the petitioner could not also submit any document showing submission of the required documents within the stipulated time. She submitted the following documents/papers at the personal hearing held on 13.05.2022.

- i. TET-2014 Admit Card
- ii. TET-2014 Result
- iii. Copy of the online application filled up by the TET-2014 qualified candidates
- iv. Details of venue for Scrutiny/Verification and Interview/Aptitude Test.
- v. Part-I Marksheet of the 2 year D.El.Ed. Course for the session 2014-2016

- vi. Part-II Marksheet of the 2 year D.El.Ed. Course for the session 2014-2016
- vii. Certificate of the 2 year D.El.Ed. Course for the session 2014-2016
- viii. Admit Card of Madhyamik Exam, 2009 – issued by WBBSE
- ix. Marksheet of Madhyamik Exam, 2009 – issued by WBBSE
- x. Certificate of Madhyamik Exam, 2009 – issued by WBBSE
- xi. Marksheet of Higher Secondary Exam, 2011 – issued by WBCHSE
- xii. Certificate of Higher Secondary Exam, 2011 – issued by WBCHSE
- xiii. Identity Card issued by Election Commission of India as identity proof
- xiv. Aadhaar Card issued by Govt. of India as identity proof.

The process of recruitment as per the notification dated 02.11.2017 was also completed by the first part of the year 2018 and all such vacancies have been fulfilled. Now, there is no vacancy available out of the declared vacancies of the Recruitment Process and the entire process has since long come to end.

Since the petitioner did not submit her required

documents within the stipulated time as per notification, the question of considering her candidature did not arise.

The prayer of the petitioner can thus, not be acceded to.”

After hearing the submissions of the petitioner and after going through the order dated 07.06.2022 passed by the Secretary coupled with the fact that there is no clear cut averment that the petitioner filed all papers as were required under the notice of the West Bengal Board of Primary Education dated 02.11.2017 (Page 45), I do not find any merit in this application. The writ application is dismissed.

No order as to costs.

(Abhijit Gangopadhyay, J.)

