

Court No. 17

WPA 14051 of 2021

28.02.2022

(AD 6)

(S. Banerjee)

Dipak Kumar Maiti

Vs.

The State of West Bengal & Ors.

(Via Video Conference)

Mr. Ujjal Ray

Mr. Arijit Pradhan

... for the petitioner

Mr. Bhaskar Prasad Vaisya

Mr. Raja Saha

... for the State

Dr. Sutanu Kumar Patra

Ms. Supriya Dubey

... for the SSC

Ms. Koyeli Bhattacharya

... for the WBBSE

Let the affidavit of service filed in court today be kept with the record.

The petitioner got one recommendation letter against his participation in the First State Level Selection Test for Headmasters in a school in the district of Purulia. Such recommendation letter was issued on 11th March, 2020. In all likelihood it may be presumed, it reached the petitioner by two weeks thereafter. The petitioner has not been able to say when this recommendation letter was received by him. In respect of such recommendation by the Commission, he sent two representations to the Chairman and to the Secretary of the West Bengal Central School Service Commission. One of such representations is after six months from the presumed date of receipt of the said

recommendation letter. This first recommendation is dated 30th September, 2020. He made a second representation also dated 30th December, 2020 which is nine months after presumed date of receipt of the said recommendation letter. He has submitted that in his own school, where he is working now as an Assistant Teacher, the post of Headmaster is vacant and he should be appointed in the said vacant post. He has only made prayer to this effect and not that he has claimed that he has to be appointed in that post.

I have considered the case of the petitioner and I have heard the learned advocates for the Commission.

I do not find any merit in the case of the petitioner as the petitioner cannot select his own school where he would act as the Headmaster. For the post of Headmaster he has to appear for another Regional Level Selection Test when it will be held and then he may try, if eligible, for the post of Headmaster in his own school where is now working as an Assistant Teacher. This court will not direct the Commission to recommend the petitioner in his own school as Headmaster, as has been indicated in their two representations preferred hereinabove.

With this observations and directions, this writ application is dismissed.

(Abhijit Gangopadhyay, J.)