

02
11.05.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 11497 of 2010

**Prasanta Panda & Ors.
-versus
State of West Bengal & Ors.**

**Mr. Kamalesh Bhattacharyya.
...For the Petitioners.**

**Mr. Swapan Kumar Dutta,
Mr. Rajat Dutta.
...For the State.**

**Mr. Kamal Mishra,
Mr. Pratap Santra.
...For DPSC.**

Instruction has been received from the Chairman, Purba Medinipur District Primary School Council dated 10th May, 2022 wherein it has been mentioned that Biswajit Maity, petitioner No. 5 obtained 46.056 marks, Satyan Kumar Santra, petitioner No. 3 scored 40.350 marks and petitioner No.1 Prasanta Panda obtained 42 marks.

The selection test was initiated in the year 2006 and as the petitioners got marks less than the cut off score for general candidates i.e. 55.906 marks, accordingly, they were unsuccessful and appointment letter cannot be issued in their favour.

The petitioners submit that they are untrained candidates and they ought to be appointed for filling up the vacancy which arose during the period 2001-2008.

The petitioners have prayed for a direction upon the respondents to give appointment and not to fill up the post under District Primary School Council, Purba Medinipur.

The instruction received from the Purba Medinipur District Primary School Council indicates that the petitioners secured marks less than the last empanelled candidate and accordingly, the prayer of the petitioners for appointment cannot be accepted.

In view of the above, no relief can be granted to the petitioners in the instant petition.

The writ petition fails and is hereby dismissed.

Instruction given by the Chairman, Purba Medinipur District Primary School Council dated 10th May, 2022 be retained with the records.

Reply filed on behalf of Anup Khatua to the opposition filed by the respondent No. 4 in Court today is also taken in record.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)