

02.03.2022
BP
Sl. 65
Court No. 17

WPA 17707 of 2021

(Via Video Conference)

Ramchandra Sen
Vs.
The State of West Bengal & Ors.

Ms. Komal Singh
..for the petitioner.

Mr. Debjit Mukherjee
Ms. Susmita Chatterjee
..for the State.

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
..for SSC.

Mr. Santanu Kumar Mitra
..for the Board.

On perusal of the report of the School Service Commission and on perusal of the objection of the petitioner to the said report which has been affirmed on 24th February, 2022 by the petitioner the following facts appear:-

(i) The panel and wait list for the post of Group-C staff was published on 20.12.2017.

(ii) There were four phases of counselling and last and fourth phase of counselling was held on 31.12.2018.

(iii) The panel and waiting list for Group-C post

expired on 18.05.2019.

(iv) After such expiry no recommendation was made to any candidates either by the Central School Service Commission or by the Regional School Service Commission.

(v) The above facts come from the report filed by the Commission affirmed on 10th February, 2022.

(vi) From the exception to the said report affirmed by the petitioner on 24.02.2022 it is found that the petitioner has submitted that one merit list was published by the Commission on 20.06.2019 for the post of clerk under the category unreserved male/female.

(vii) Thereafter the petitioner visited time and again the office of the Regional Commission and the Regional Commission intimated the petitioner that he is to contact the Central Commission.

(viii) He went to the Central Commission several times and in the third week of December, 2019 and then on 23.12.2019 when he found a queue in front of a window opened at the office of the Central Commission, he was also in the queue and the official of the Commission sitting behind the window was taking the papers and documents from the candidates in the queue and after verification had been handing over the

recommendation letters and in this way he got the recommendation letter being memo no.672/Clerk/Recom(NT)/RSSC(WR) dated 20.12.2019 for appointment to the post of clerk at Arisand Swami S.N. Vidyapith and on the same day he made contact to the office of the West Bengal Board of Secondary Education. When the recommendation letters were being handed over by the official of the Commission from behind the said window the candidates were directed to sign a register in the receipt column in a row where the name and other details of the petitioner were written and the said register contained the names and signature of other candidates.

(ix) The panel was actually published on 20.06.2019 in the official website of the Commission wherefrom the petitioner found his name as a wait listed candidate. Therefore, the panel was published till 20.06.2021.

(x) The recommendation letter was issued to the petitioner well within the validity of the said panel since it was valid till 20.06.2020.

(xi) The appointment letter was received by the petitioner from the Board upon verification of the original testimonials on 20.03.2020.

As the petitioner is a party in the appeal preferred by the State in respect of Group-C candidate which has granted stay of proceeding of similar matter, I direct the learned advocate for the School Service Commission to send all pleadings in this matter to the Committee constituted by the Division Bench within a period of three days from date so that all the pleadings used before this court may be placed before the said Committee.

With the above direction, this matter is disposed of.

(Abhijit Gangopadhyay, J.)

