

11.01.2022
SL No. 39
Court No. 24
(P.M)

WPA 18891 of 2021

**Sumita Roy
Vs
The President, West Bengal Board of Primary
Education & Ors.
(Via Video Conference)**

Mr. Sadhan Kumar Halder
... for the petitioner.

Mr. Ratul Biswas
... for the Board

Mr. Biswabrata Basu Mallick
... for the Council

Mr. Arka Kumar Nag
... for the State

The case of the petitioner is that even though she was enlisted in the panel for counselling, but she was not permitted to participate in the counselling process.

The aforesaid contention of the petitioner is opposed by the learned advocate representing the Hooghly District Primary School Council.

It is the specific contention of the Council that all the candidates whose names were empanelled were called for counselling. Even though the petitioner's name was in the panel she did not participate in the counselling for the reasons best known to her.

It has further been submitted that final panel has already been prepared and appointments have been given to the successful candidates.

The Council has thereafter forwarded the list of candidates who did not participate in the counselling to the West Bengal Board of Primary Education on 10th September, 2021 for records.

The petitioner has made a representation to the President of the Board on 23rd October, 2021 wherein she has mentioned that she was present on the day counselling took place i.e. on 17th February, 2021, but she could not hear her name being called on for participating in the counselling.

Such frivolous allegation cannot be entertained by the Court. When a candidate appears for participating in the counselling, she ought to have been vigilant enough to take part in the counselling process in proper time and if she was not called for counselling she ought to have raised objection then and there and not wait for nearly eight months to raise the issue. The petitioner has literally missed the bus.

No relief can be granted to the petitioner in the instant case.

Writ petition fails and is hereby dismissed.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)