

02.03.2022  
Ct. 25  
D/L 20  
ab

**WPA 16777 of 2007**  
**(Via Video Conference)**

**Debabrata Barik**  
**-Vs-**  
**The State of West Bengal & Ors.**

None appears for the writ petitioner at the time of call. No accommodation has been prayed for either.

This is a writ petition of the year 2007, challenging the vires of Rule 8(5) of the West Bengal Schools (Recruitment of Non-Teaching Staff) Rules, 2005.

In the case of *Prabir Kumar Maji Vs. State of West Bengal & Ors*, reported at 2008(2) CHN 900, it has been held that the Rules 8(5)(a) and 8(5)(b) of the said Rules, 2005 offend the Articles 14 and 16 of the Constitution of India and the said Rules are ultra vires the Constitution of India and are supposed to be struck down and thus, struck down.

In view thereof, nothing survives for decision in the instant writ petition.

Accordingly, the instant writ petition stands disposed of.

**( Hiranmay Bhattacharyya, J.)**