

Court No. 17

WPA 25796 of 2015

15.11.2022

(AD 2 & 3)

(S. Banerjee)

Sudeshna Set & Ors.

Vs.

The State of West Bengal & Ors.

with

WPA 18214 of 2015

Mr. Tulsi Das Maiti
Mr. Pradip Kumar Ghosh
Mr. Snehasish Bala

... for the petitioners

Mr. Saikat Banerjee
Mr. Ratul Biswas

... for the WBBPE

Mr. Ekramul Bari
Mr. Ranajit Chatterjee
Sk. Imtiaj Uddin

... for the respondent nos. 8, 10, 13, 19 and 27

Mr. Ganesh Prasad Shaw
Mr. Sayan Dev Kumar

... for the respondent no. 20 (in WPA 25796 of 2015)

Mr. Saibal Acharya
Mr. Rajib Kumar Acharya
Mr. Banshi Badan Maity

... for the respondent no. 26 (in WPA 25796 of 2015)

Mr. Siddhartha Banerjee
Mr. Abjijit Basu
Mr. Kamal Mishra

... for the respondent no. 21, 25, 28, 29, 30 and
31 (in WPA 25796 of 2015)

This court directed to give appointment to 37 petitioners in respect of these two matters. The Chairman of the District Primary School Council has filed a compliance report by way of an affidavit affirmed on 15th November, 2022.

From Annexure R-1 of the said affidavit, the following is found:

“Sub: Compliance Report for W.P. No. 25796 of 2015 (Sudeshna Set & Ors. -Vs- State of W.B. & Ors.) & W.P.No. 18214 of 2015 (Sourav Mondal & Ors. -Vs- State of W.B. & Ors.)

The undersigned has to state and inform that in compliance with His Lordships’ Order dated 27.09.2022 as passed by the Hon’ble Justice Abhijit Gangopadhyay, Appointment Letters have been issued vide this office Memo No. 1374 dated 17.10.2022 in favour of 27 petitioners/candidates out of 37 petitioners who were verified eligible and the Commissioner of School Education, Govt. of West Bengal vide His office Memo No. 510-LP dated 20.10.2022 has accorded approval to the appointments of those above noted 27 (Twenty Seven) petitioners in compliance with the aforesaid Hon’ble High Court’s Order.

It is to be mentioned that out of 37 petitioners in the above noted 2 Writ Petitions, 8 (Eight) petitioners are already existing Primary Teachers under DPSC, Howrah who were appointed through other recruitment process and they have expressed in written not to issue appointment letters in favour of them, 1 (one) petitioner Sourav Mondal has not submitted required documents within the specified time (this office vide Memo No. 1322/37 dated 27.09.2022 has requested all the 37 petitioners to submit their BIO-DATA along with all testimonials in compliance with the said Hon’ble High Court’s Order) and another 1 (One) petitioner namely Sushil Oraon has submitted a written declaration that he was absent in the then written examination held in 2014 and thus found not eligible. That’s why Appointment Letters have not been issued in favour of those 10 (Ten) petitioners/candidates.

Copies of 27 Appointment Letters, Copies of written declaration of 9 Petitioners are enclosed herewith.

This is for his information.”

From the said compliance report it appears, apart from other facts mentioned therein, that one Sourav Mondal has not submitted required documents within the specified time.

I direct the Chairman, DPSC to give said Sourav Mondal another and last opportunity to submit the required documents by a time to be fixed by the Chairman which should not be less than 21 days from the date of despatch of the said letter of the second and last chance as aforesaid.

A copy of the said compliance report has already been served upon the learned advocate for the petitioners. The said compliance report, in the form of affidavit, is kept on record.

These matters are disposed of.

If the said candidate, namely Sourav Mondal, does not get the opportunity, he is given liberty to come before this court and mention the matter before this court.

If the said candidate, namely Sourav Mondal, comes up with his necessary documents as are required by the DPSC, then the order dated 27.09.2022 shall be

applicable to him except the timeframe given therein.
The timeframe in this matter should be 10 weeks after
production of such documents by the said Sourav
Mondal.

(Abhijit Gangopadhyay, J.)