

07 14.09.2022
rkd Ct.15

W.P.A. 38155 of 2013

Tajimul Md.

-vs-

The West Bengal Central School Service Commission & Ors.

Mr. Ibrahim Shaikh

....for the petitioner.

Petitioner participated in 12th Regional Level Selection Test (AT), 2011 claiming appointment in the post of assistant teacher under Regional School Service Commission, Northern Region. It appears from interim order passed by a coordinate Bench on 16th January, 2014 that petitioner's name featured at serial no.591 in the combined merit list of Assistant Teacher in Geography under Pass category.

The coordinate Bench having found the case made out by the petitioner relating to supersession without following the merit position of the candidates in the panel passed an interim order not to issue recommendation letter to any selected candidates possessing equivalent qualifications like the petitioner under Other Backward Class category superseding the petitioner.

However, subsequently, matter was taken up on 26th February, 2014 by the coordinate Bench

when no one appeared for the petitioner.

This matter has again been taken up by this Court on 5th September, 2022 when accommodation was prayed for on the ground of the learned advocate of the petitioner. Pursuant to the order dated 5th September, 2022 the writ petition is taken up for consideration today when Mr. Shaikh, learned advocate representing the petitioner has submitted that he has no instruction from the petitioner relating to the claim of the petitioner for appointment in connection with petitioner's participation in 12th Regional Level Selection Test (AT), 2011.

Since the issue relates to 12th Regional Level Selection Test (AT), 2011; the writ petition might have become infructuous in consideration of the fact that the panel prepared based on 12th Regional Level Selection Test (AT), 2011 has expired long back.

Accordingly, the writ petition stands disposed of.

Interim order passed on 16th January, 2014 stands vacated.

However, this order shall not preclude the petitioner from offering his candidature in future for appointment in the post of Assistant Teacher in

consideration of his educational qualification, if by this time the petitioner has not been appointed in the post of Assistant Teacher.

However, there shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)