

Court No. 22

14.6.2023

(Item No. 12)

(AB)

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 1072 of 2020

Urmi Mondal

VS

The State of West Bengal & Ors.

Mr. Samim Ahammed

Mr. Arka Maiti

..... for the petitioner

Mr. Arindam Chattopadhyay

Ms. Lipika Chatterjee

.....For the State

Dr. Sutanu Kumar Patra

Ms. Supriya Dubey

.... For WBCSSC

The petitioner had participated in the **1st State Level Selection Test 2016** for the post of **Assistant Teacher (H) Post Graduate.**

The petitioner contended that, the lesser rank holder candidates received appointment whereas the petitioner did not receive.

Pursuant to the direction made by this Court an affidavit report was filed on behalf of respondent Nos. 3, 4 and 5 affirmed on February 20, 2023. The relevant averment from the said affidavit report is quoted below :

“It is found from our record that the said Uttarpa Girls’ High School was sent to the Commission’s end as a final vacancy. However, as it was erroneously listed in the M/F category, the aforementioned Imran Mondal was recommended there and subsequently, an alternative vacancy was obtained for him. Therefore, the petitioner appears to be a

candidate who was fit for recommendation at the materials point in time.”

In view of the stand taken by the respondent Nos. 3, 4 and 5 as quoted above the petitioner must be given appropriate appointment.

In view of the above, the respondent No. 4 positively within a period of **one week** from the date of communication of the order shall approach the respondent No. 6 for obtaining the appropriate vacancy particulars where the petitioner shall be placed. The respondent No. 6 in turn within a period of **three weeks** from the date of receiving such communication from the respondent No. 4 shall send the appropriate vacancy list before the respondent No. 4.

The respondent No. 4 in turn within a period of **two weeks** from the date of receiving such vacancy position from the respondent No. 6 shall issue necessary recommendation for appropriate appointment in favour of the petitioner.

Upon receipt of such recommendation for appointment from the respondent No. 4 the petitioner shall take appropriate steps before the appropriate authority and all such appropriate authorities shall do the needful in accordance with law in an expeditious manner.

On the above terms this writ petition being **WPA 1072 of 2020** stands allowed.

There shall, however, be no order as to costs.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Aniruddha Roy, J.)