

18.09.2023
SL No. 13
Court No. 8
(gc)

MAT 271 of 2023
CAN 1 of 2023
CAN 2 of 2023

Syed Mustafa Hamid & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Abhinaba Dan,
Ms. Ankita Mukherjee,
...for the Appellant.
Mr. Bhaskar Prasad Vaisya, A.G.P.,
Mr. Mrinal Kanti Ghosh,
...for the State.
Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey,
...for the W.B.C.S.S.C.

1. In view of the submission made on behalf of the appellants that the direction of the learned Single Judge recording that the Commissioner in its affidavit has given an undertaking to initiate the process of exercising its power under Rule 17 of the West Bengal School Service Commission (Selection for Appointment to the Posts of Teachers for Classes IX and X in Secondary and Higher Secondary Schools) Rules, 2016 within seven days, we feel that the writ petition was premature as rightly observed by the learned Single Judge. The appellants cannot be said to be persons aggrieved at this stage.
2. With the aforesaid observation, the appeal and the applications are disposed of.
3. However, there shall be no order as to costs.

4. The order of the Hon'ble Supreme Court being Civil Appeal No(s). 2419-2420/2023 dated 12th April, 2023 is kept with the record.
5. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Prasenjit Biswas, J.)

(Soumen Sen, J.)