

Item-141.	10-08-2023	MAT 366 of 2023 CAN 1 of 2023
sg	Ct. 8	Debasish Paul Versus The State of West Bengal & Ors.

Mr. Uday Sankar Chattopadhyay, Adv.
 Mr. Suman Sankar Chatterjee, Adv.
 Mr. Santanu Maji, Adv.
 Mr. Pronay Basak, Adv.
 Mr. Subhayu Das, Adv.
 Ms. Rajashree Tah, Adv.
 Ms. Trisha Rakshit, Adv.
 Ms. Aishwariya Datta, Adv.
 ...for the appellants

Mr. Koyeli Bhattacharyya, Adv.
 ...for W.B.B.S.E.

Ms. Sanjukta Gupta, Adv.
 ... for the State

1. The appellant is aggrieved by the order dated 13th February, 2023. The petitioner claimed to be a successful candidate in the First State Level Selection Test, 2016 and was selected for the post of Assistant Teacher (Classes IX and X) for the subject Physical Science (GRAD). At the relevant point of time, when the petitioner was selected for the post of Assistant Teacher, he was already employed with the department of the Defence, Union of India.
2. On January 9, 2019, the petitioner received the necessary appointment for the post of Assistant Teacher under the communication issued by the respondent no.6. On the same day, the petitioner, by a letter dated 9th January, 2019, made a representation before the respondent no. 6 that since he was working with the Ordinance Factory, Jabbalpur, he requested the Board to consider for extension of some period to enable

him to join the said post of Assistant Teacher by receiving the said appointment. The necessary permission was not granted. Surprisingly, he did not join the said post nor he made any representation for suitable extension of time in order to enable him to join the said post.

3. The learned Single Judge, in our considered opinion, assessed the issue correctly in rejecting the writ application. The statements made in the writ petitioner with regard to repeated representations are bereft of any evidence and we agree with the observation made by the learned Single Judge that such general statements have been made in an attempt to cover up the delayed action of the petitioner.
4. Under such circumstances, we do not find any reason to interfere with the order passed by the learned Single Judge.
5. With the above observation, the appeal stands dismissed.
however, there shall be no order as to costs.

(Uday Kumar, J.)

(Soumen Sen, J.)