

W.P.A. 15022 of 2019

**Arindam Ghosh
Vs.
State of West Bengal & Ors.**

Mr. Md. Yusuf Ali ...For the petitioner.
Mr. Ratul Biswas
Mr. Kaushik Chowdhury ...For the Board.
Mr. Ranjan Saha ...For the State.

The petitioner appeared for the post of Primary Teacher in Malda District. The petitioner belongs to untrained OBC-B category. It is the case of the petitioner that he secured higher marks in the selection process than some General category candidates, who have been appointed.

The law is settled that if a reserved category candidate secures higher marks than a General category candidate, he should be treated as a General candidate for the appointment.

It has been submitted by the Board that the Deputy Secretary of Board shall look into the matter and pass necessary order in a time bound manner.

In that view of the matter, this writ petition is disposed of with a direction upon the Deputy Secretary, West Bengal Board of Primary Education to look into the allegations made in this writ petition. If the allegations are found to be genuine, the Board shall issue letter of

appointment in favour of the petitioner from the available future vacancies. Such exercise should be completed within one month from the date of communication of this order.

WPA 15022 of 2019 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajarshi Bharadwaj, J.)