

05.07.2023
SL No.21
Court No.8
(gc)

FMA 2048 of 2018
CAN 1 of 2018 (Old No: CAN 6467 of 2018)

Rampada Mahato
Vs.
State of West Bengal & Ors.

Mr. Mani Shankar Chattopadhyay
Ms. Munmun Biswas
...for the Appellant.
Mr. S.T. Mina,
...for the State.

The appeal is arising out of the judgment and order dated 31st July, 2018 passed by the learned Single Judge dismissing the writ petition. In the writ petition, the appellant has challenged the decision of the respondent school alleging that the private respondent was selected in violation of the rules and regulations governing the selection process. It appears from the decision of the selection committee that during selection preference was given to Sri Ashwini Kumar Mahato on consideration of his testimonials, experience and age amongst other things and upon following the guideline of the Paschim Banga Rajya Sishu Sikhsa Mission. The grievance of the appellant was that since the appellant is an M.A. in Bengali, he should have been given preference for selection to the post of "Bhasya Bivag". However, it appears from the guideline issued by the authority concerned, the person to be selected as Samprasarak for the

“Bhasya Bivag” would also be required to teach Social Science and related subjects. We are of the view that solely because the appellant is an M.A. in Bengali, the candidate who may be found to be more suitable to perform the duty of a Samprasarak having a better experience in Social Science not to be disturbed as the very purpose is to impart a proper education. Moreover, the said panel was only for one year. The panel had expired in the meantime.

On such consideration, we are not inclined to interfere with the order passed by the learned Single Judge.

Accordingly, the appeal and the application stand dismissed.

However, there shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar, J.)

(Soumen Sen, J.)