

20.09.2023
SL No. 1
Court No. 8
(gc)

**MAT 1540 of 2022
CAN 1 of 2022
CAN 2 of 2022**

**Sanjita Biswas
Vs.
State of West Bengal & Ors.**

Mr. Prosenjit Mukherjee,
Mr. Nirmalya Kr. Das,
...for the Appellant.
Mr. Tapan Kr. Mukherjee, A.G.P.,
Ms. Tuli Sinha,
...for the State.
Mr. Subir Sanyal
Mr. Ratul Biswas,
Mr. Kaushik Chowdhury,
...for the Board.

1. The writ petitioner is aggrieved by the decision of the Board in not calling her for the interview. The petitioner is TET-2014 qualified candidate. She is also an empanelled candidate. However, she alleged that she did not receive the information regarding the date of counselling. It is alleged that on 27th December, 2021, she came to know for the first time that counselling was held in November, 2021 and a list was published on 23rd November, 2021. She made a representation on 8th January, 2022 ventilating her grievance.
2. The learned Counsel for the appellant has relied upon a decision of a learned Single Judge where

the word “call” in rule 10 was construed to mean a communication in writing.

3. The Board has submitted that as per their procedure, a notification annexing the list of candidates for State level counselling was published in two designated and dedicated websites of the Board. The time and date of her counselling was fixed at 12 noon on 1st December, 2021. In her representation, she has stated that on the date of counselling, she was physically ill and was bed ridden.
4. On such circumstances, it would not make any difference if a call letter in physical form is delivered to her intimating her about the date and time of the counselling. Moreover, being a candidate who participated in the interview on 13th January, 2021 it is expected that she would make necessary enquiries about the date of counselling and if all other participants could appear on the basis of the notification published in two designated and dedicated websites of the Board, we find no reason for the appellant to put forward a plea of ‘call letter’ not being received.
5. In view of the procedure adopted by the Board inviting applications online and intimation in the designated websites, the issuance of letter to individual candidates is not required. The appellant should have been vigilant in trying to

find out from the website of the Board about the date of counselling. In any event, having regard to the fact that on the date of interview, the appellant could not have been physically present as she has admitted to have been suffering from ailments and was bed ridden, it would make little difference if any call-letter is actually received by the appellant.

6. In view of the fact that the process of counselling is over, we are unable to grant any relief to the appellant.
7. The appeal fails.
8. Accordingly, the appeal and the application stand dismissed.
9. However, there shall be no order as to costs.
10. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Prasenjit Biswas, J.)

(Soumen Sen, J.)