

Court No. 17

WPA 28382 of 2022

26.06.2023

(AD 54)

(S. Banerjee)

Suparna Singha

Vs.

The State of West Bengal & Ors.

Mr. Sudipta Dasgupta

Ms. Dipa Acharyya

Ms. Shalini Ghosh

... for the petitioner

Mr. Ratul Biswas

Mr. Kaushik Chowdhury

... for the WBBPE

Let the affidavit of service filed in court today be kept with the record.

Initially the petitioner's OBC certificate was not accepted by the Board for 2020 recruitment process as there was no mentioning of OBC - B or OBC - A. Thereafter he took shelter of law and this court while dismissing the writ application directed that the Board will consider, as the petitioner had updated his OBC certificate as OBC - B, if the selection process is not over. It is evident from Annexure P-7, which is a notification for publication of state-wise merit list etc. dated 24.03.2022, that the process was not over. The petitioner's case was rejected by the Secretary of the Board for the reason that the petitioner could not show her OBC - B certificate.

Clearly this was not the order of the court. In WPA 1936 of 2021 the order of the court was to consider the certificate if the selection process was not over. It has already been indicated above that the selection process was not over but the candidature of the petitioner was cancelled.

Therefore, I set aside the order in the form of a letter written by the Secretary dated 24.02.2022 to the petitioner denying consideration of his updated caste certificate issued after 10.01.2021 and I direct the Deputy Secretary of the Board to consider again the OBC – B certificate of the petitioner taking into consideration that the selection process was not over.

The Board is directed to conduct the interview and the aptitude test of the petitioner and to publish her result and to recommend her for the post of a teacher in a primary school, if the situation is in favour of the petitioner.

With the above observation and direction, this writ application is disposed of.

(Abhijit Gangopadhyay, J.)