

Item No.43  
29.11.2023  
Court. No. 2  
GB

*CALCUTTA HIGH COURT  
IN THE CIRCUIT BENCH AT JALPAIGURI  
APPELLATE JURISDICTION*

WPA 1223 of 2021

Pinaki Bagchi  
VS  
The State of West Bengal & Ors.

*Mr. Rajat Das,  
Ms. Srijana Thapa*

*...for the Petitioner.*

*Mr. Subir Kumar Saha,  
Mr. Momenur Rahman*

*...for the State.*

*Mr. Bikramaditya Ghosh*

*...for the SSC.*

Affidavits-of-service filed in Court today, be kept  
with the record.

This Court is of the view that as of now, no useful  
purpose will be served by keeping the writ petition  
pending. The petitioner was appointed as an Assistant  
Teacher of Tatu Singha Smrity Junior High School,  
District-Uttar Dinajpur through the West Bengal Regional  
School Service Commission. The petitioner was  
transferred to Balmiki Vidyapith (H.S.).

The West Bengal Central School Service  
Commission issued a notification for the First Level  
Selection Test, for recruitment to the post of Headmaster  
and Headmistress in Secondary and Higher Secondary  
Schools (except Hill Region), 2017, dated June 12, 2017.  
As the petitioner fulfilled the eligibility criteria prescribed

under the said notification, the petitioner applied online for the post of Headmaster. The total vacancies notified were 1749. The petitioner was called for an interview and for verification of documents. After verification, the petitioner was called for a personality test and the final result was published on January 16, 2019.

The petitioner was wait-listed. In the common wait-list, the petitioner was placed at serial no.1136 and at serial no.1087 in the wait-list for male candidates. The first round of counselling was held sometime in July 2019 for the empanelled candidates. The second round of counselling for the wait-listed candidates was held on September 2019. Third round of counselling for the wait-listed candidates was held on November 2019 and the fourth counselling for the wait-listed candidates was held on January 2020. The waiting list (male and female) was exhausted upto serial no.1000. The petitioner submits that thereafter no further counselling was held and all the 1749 seats were not filled up. Around 340 to 350 seats were still lying vacant, but the authorities chose not to hold further counselling.

Thus, the petitioner prays for a direction upon the authority to resume the counselling in order to fill up the 340 to 350 vacant posts.

Mr. Rahman, learned advocate for the State respondents submits that the waiting list was valid for a year. The counsellings were held upto January 2020 and most of the seats were filled up. The authority decided not

fill up the remaining vacancy as the life of the waiting list expired. The vacancies would be carried forward when the next recruitment drives takes place. He submits that the writ petition has become infructuous.

Mr. Das, learned advocate for the petitioner submits that when the authorities continued to hold counselling up to January 2020, until all the seats were filled up, the further wait-listed candidates should have been given an opportunity.

The panels of wait-listed candidates are usually valid for a year. There are notifications of the State of West Bengal to that effect. Thus, this Court finds from the records that only upto January 2020 the counsellings were held. Thereafter, the authorities decided not to continue with the counselling process and the candidates upto serial no.1000 in the wait-list were given appointment. The petitioner approached this Court much after the expiry of the waiting list, that is, sometime in 2021.

Mr. Das submits that even if the authority decided not to proceed with the waiting list for whatever reason, a notification to that effect ought to have been published in the official website in order to enable the other wait-listed candidates to understand their fate.

Having heard the learned advocates for the respective parties, the writ petition is disposed of with a direction upon the Chairman, Central School Service Commission, i.e., the respondent no.2, to intimate the

petitioner as to the fate of the waiting list which was prepared pursuant to the selection process initiated vide notification dated June 12, 2017, in which the petitioner had participated and had been wait-listed at serial no.1136. Such intimation shall reach the petitioner within a period of four weeks from the date of communication of this order.

Accordingly, the writ petition is disposed of.

However, there shall be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

**(Shampa Sarkar, J.)**