

13-10-2023
Court No.3
Sh/3

**In The High Court At Calcutta
Jalpaiguri Circuit Bench**

W.P.A. 2165 of 2023

Debadyumma Gangopadhyay.

-Vs-

State of West Bengal & Ors.

Mr. Ajoy Singhal.

For the petitioner.

Mr. Subir Kumar Saha,

Mr. Hirak Barman.

For the State.

Mr. Bikramaditya Ghosh.

For the SSC.

The petitioner has filed this writ petition with a grievance that his name has not been published in the panel, published by the authority though the petitioner appeared in TET Examination (Upper Primary 2015) and in personality test twice and got 120 marks out of 150 marks. He had applied for 1st State Level Selection Test for Recruitment of Assistant Teachers, 2016 in Upper Primary Level classes in Govt aided/ sponsored Schools and prays for direction to the respondents their agents, men, subordinate, Superior, Successor in office to forthwith and/or immediately enquire into the matter and empanelled the name of the petitioner in the provisional panel in State Level Selection Test for recruitment of Assistant Teachers, 2016 and further command the said respondents to act in accordance

with law by giving appointment in favour of the petitioner.

Ld Advocate appearing on behalf of the petitioner submitted that in spite of securing higher marks, his name has not been included in the panel. Even attention was drawn to the officer of Chairman, West Bengal Central School Service Commission and thereafter made a written representation on 27.03.2023 to the commission with a request to enquire into the matter and include his name in the panel under the general category. But in spite of such representation, the respondent authorities particularly the Chairman of the West Bengal Central School did not consider his representation dated 27.03.2023. Having no alternative, he compelled to file this writ petitioner before this Court for his grievances as made in the writ petition. He has also referred various documents in support of his contention to the writ petition.

On the other hand, learned advocate appearing on behalf of the respondents submitted that the instant writ petition became infructuous after cancellation of entire selection process of 1st State level selection Test, 2016 for the recruitment of Assistant Teacher in Upper Primary Schools in the state of West Bengal by the Co-ordinate Bench of the Hon'ble High Court at Calcutta in W.P.A. No. 9597 of 2019 (Aktarul Islam Kayal & Ors. Vs. State of West Bengal & Ors), With W.P.A. 11944 of

2019 (Snehansu Rakshit & Ors. -vs State of West Bengal & Ors), With W. P.A. No. 20928 of 2019 (Kishor Sarkar & Ors. -vs State of West Bengal & Ors), With W. P.A. No. 20931 of 2019 (Sadananda Chatterjee & Ors. -vs State of West Bengal & Ors), With W. P.A. No. 5525 of 2020 (Bhanu Roy & Ors. -vs State of West Bengal & Ors) and With W. P.A. No. 9180 of 2019 (Sangita Maiti & Ors. -vs State of West Bengal & Ors) vide judgment dated 11th December, 2020. So the writ petition may be dismissed being infructuous.

Having heard the submission of both sides and on perusal of the judgment referred by the learned advocate appearing on behalf of the respondents, it appears that the co-ordinate bench of the High Court at Calcutta cancelled and set aside the entire selection process for appointment of candidate to the post of Assistant Teacher of upper Primary Level of Schools in the State pursuant to the notification published for the post on 23rd September, 2016.

In view of the above facts, writ petition has no merit and deserved to be dismissed.

Accordingly, WPA No.2165 of 2023 is dismissed as infructuous.

There will be no order as to costs.

Urgent Photostat certified copy of this order, if applied be supplied to the ld. Advocates for the parties subject to compliance of all requisite formalities.

(Ajay Kumar Gupta, J.)