

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

WPA 3288 of 2022

**Md. Mozammel Hoque
-Versus-
State of West Bengal & Ors.**

For the Petitioner : Mr. Debanjan Das

**For the DPSC : Mr. Amales Ray,
Mr. Deborshi Dhar**

Heard & Judgment On : 9th February, 2023.

Bibek Chaudhuri, J.

The petitioner is admittedly an orthopaedically challenged person. He is 45 per cent disabled. He appeared in primary TET examination for the post of Assistant Teacher under the category of physically handicapped person held in the year 2009. He was not selected. Subsequently after a long delay of about 13 years the petitioner has approached this Court for directing the respondents to give appointment on the basis of the marks he got in primary TET examination, 2009.

Vide order dated 2nd February, 2023 this Court directed respondent no. 4, the Chairman, Cooch Behar District Primary School Council to submit the photocopy of the result of 2009 TET examination for physically handicapped candidates. The respondent no. 4 has submitted a report swearing affidavit stating, *inter alia*, that the petitioner scored 22.51 marks out of 40 marks. It is also found from the said report the cut off marks under the quota of physically handicapped person was 26.78. There was 11 number of seats reserved in the category of physically handicapped persons. The said 11 persons who scored above cut off marks have already got appointment.

Since petitioner's score is much below the cut off mark, he is not entitled to any relief in the instant writ petition. Accordingly, the instant writ petition is dismissed on contest, however, without cost.

(Bibek Chaudhuri, J.)