

09.07.2024.
Court No. 13
Item No. 246
sp

W.P.A. No. 110 of 2021
with
CAN 1 of 2021
With
CAN 2 of 2022
With
CAN 3 of 2022
Arun Kumar Das & Ors.
Versus
The State of West Bengal & Ors.

Mr. D. Chatterjee,
Mr. Shiladitya Rakshit,
Ms. Anjana Mehbub

...For the petitioners.

Mr. Bhaskar Prasad Vaisya,
Mr. Sagnik Chatterjee

..for the State

Mr. Saikat Banerjee,
Mr. Ratul Biswas,
Mr. Kaushik Chowdhury

..for the WBBPE

1. The petitioners seek relaxation in age to entitle them to participate in the recruitment process conducted by the WBBPE for the year 2020.

2. Out of 48 petitioners, 41 candidates possess either B. Ed. or D. El. Ed. from NIOS as the training qualification. Neither of the aforesaid qualifications entitle a person to teach the primary students of the State in the light of the decision of the Hon'ble Supreme Court in the case of **Devesh Sharma Vs. Union of India & Ors.** reported in **2023 SCC Online SC 985** and **Jaiveer Singh & Ors. Vs. The State of**

Uttarakhand & Ors. reported in ***2023 SCC Online SC 1584.***

3. In any event by a decision reported in ***2024 SCC Online SC 1189*** in the case of ***Ali Hossain Mandal & Ors. Vs. WBBPE & Ors.***, the Hon'ble Supreme Court had ordered at paragraph 29 that there shall be no further recruitment from the panel prepared in the recruitment process of the year 2020 and the panel shall be deemed to have expired thereafter.

4. The petitioners do not appear to even have participated in the recruitment process of the year 2016. The question of allowing the petitioners of any age relaxation for participating in the recruitment process of the year 2020, therefore, does not and cannot arise.

5. Hence, the writ petition fails and hereby dismissed.

6. Consequently, all pending applications shall stand dismissed.

7. There will be no order as to costs.

8. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)