

08.02.2024
Item No.25
Court No.18
AJ.

W.P.A. 1934 of 2024

Ratnadeep Paul

-Vs-

The State of West Bengal & Ors.

Mr. Debasish Kundu,
Mr. Sabyasachi Jana,
Mr. Souma Subhra Ray.
.....for the petitioner.

Mr. Supriyo Chattapadhyay, A.G.P.,
Mr. S. Mondal.
....for the State.

Mr. Kamalesh Bhattacharyya,
Mr. Aninda Bhattacharya.
....for the respondent no.6.

Bishnupur Siksha Sangah, District 24-Parganas (South) is a school established and run by minority community, its authority on August 11, 2023, published an employment notification inviting applications from eligible candidates for recruitment in the post of Assistant Teachers in the said school.

The petitioner, responding to the said notification, applied for appointment in the post of Assistant Teacher in the subject Accountancy and participated in the written examination.

Learned advocate for the petitioner submits that the said selection process was conducted without following the recruitment procedure, besides there were irregularities in holding the written test inasmuch as the O.M.R. sheets supplied to the candidates for such test had no unique mark or bar code.

Mr. Kamalesh Bhattacharyya, learned advocate for the school authority referring to the employment notification which is part of the writ petition, submits that the employment notification itself discloses that the selection process would be conducted as per the procedure laid down in the Recruitment procedures for the Non-Government Aided Recognized Institutions notified by the School Education Department (Law Branch) on February 03, 2016. He further submits that the petitioner is an unsuccessful candidate, after participating in the selection process, he is not entitled to question the propriety of it.

Mr. Chattopadhyay, learned AGP submits that the petitioner is alleging that he has come to know from reliable sources that the school authority has prepared a panel of its favourable candidates without disclosing source of his such knowledge, which itself renders the writ petition not maintainable.

Heard learned Counsel for the parties, perused the materials-on-record.

The writ petition, as it appears from the record, is highly speculative. It is rightly submitted by Mr. Bhattacharya, that after participating in the selection process, it is not open to the petitioner to challenge the

procedural lapses, if there be any, in the selection process. The School authority, in the employment Notification had disclosed that the procedure laid down in the aforementioned Notification dated February 03, 2016 would be followed in conducting the said selection process. The petitioner has failed to bring any material on record to demonstrate infraction of any of the procedures laid down there.

WPA 1934 of 2024 is therefore dismissed with **costs of Rs.10,000/-** (Rupees Ten Thousand only) to be paid by the petitioner to the School Authority within two weeks from date. In default of payment of such costs within the said time, the petitioner will be debarred from participating in any future selection process of the said school.

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

(Biswajit Basu, J.)