

Item No.3

16.07.2024
Ct-14

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 4760 of 2024
Sujit Bala & Ors.
v.
State of West Bengal & Anr.

Mr. Sabyasachi Chatterjee
Md. Aasif Iqbal
... for the petitioners.

Ms. Mrinalini Majumdar
... for the State.

Mr. Kaushik Chowdhury
Ms. Soumoyadipa Kanu
... for WBBPE.

The petitioners qualified in the D.EL.Ed. course in the year 2021-2023. They want similar benefit as passed by the Hon'ble Supreme Court on January 29, 2024 in the petition for **Special Leave to Appeal No. 12660 of 2023 (Soumen Paul & Ors. v. Shrabani Nayek & Ors.)**

It appears from the order passed by the Hon'ble Supreme Court in the aforesaid matter that by way of an interim measure, the Court directed the West Bengal Board of Primary Education to declare the merit list with regard to filling up the post of Assistant Teacher of primary school with rider that the appointment made shall be subject to the outcome of the said SLP.

The Board was directed to conduct final interview and aptitude test for the candidates from the 2020-22 D.El.Ed Course and submit report within six weeks. The

remaining posts were directed to be kept vacant subject to further order that may be passed by the Court.

It appears that specific direction of the Hon'ble Supreme Court was in respect of the candidates from the 2020-2022 D.El.Ed course. The petitioners qualified in the 2021-2023 D.El.Ed. course, accordingly, the reliefs sought for by the petitioners in terms of the order dated January 29, 2024 cannot be allowed.

It will be open for the petitioners to approach the Hon'ble Supreme Court for further necessary direction, if so advised.

The writ petition stands disposed of.

Supplementary affidavit and the affidavit-of-service filed in Court today are taken on record.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

Sh

(Amrita Sinha, J.)