

20.06.2024
Court No.13
Item No.24
pk

WPA 5615 of 2024

Subhas Chandra Das
Vs.
State of West Bengal and others

Mr. Chittopriya Ghosh,
Mr. Kuntal Ray,
Ms. Priyanka Saha
... for the petitioner
Mr. Ranjan Saha
... for the DPSC, Paschim Medinipur.

Mr. Supriyo Chattopadhyay,
Ms. Tuli Sinha
... for the State.

1. DPSC, Paschim Medinipur has filed a further report duly authorized by the Chairman-in-charge in terms of the order dated 11th June, 2024. There is absolutely no explanation whatsoever as to why the petitioner was granted 20 marks towards the academic qualification whereas he ought to have got 30 marks on the basis of the same. The marks obtained by the petitioner in the interview and on other heads have also not been disclosed.

2. This Court is of the view that the petitioner has definitely scored qualifying marks above the cut off in the said examination process.

3. Be that as it may, there is also no explanation as to why appointment was not given to the petitioners after three months of expiry of the order dated 30th June, 2023 passed by the Division

Bench in MAT 258 of 2022, the operative portions whereof are set out in the order dated 11.06.2024.

4. In those circumstances, the instant writ petition is disposed of directing the Chairman-in-charge, DPSC, Paschim Medinipur to forthwith issue letter of appointment to the petitioner and allot him a school within a period of two weeks from the date of receipt of a copy of this order. The petitioner's appointment will be notional from the year 1993 in view of the observation of the Division Bench in MAT 258 of 2022 dated 30.06.2023 (supra). He shall not receive any arrears of salary until his joining his post, but his terminal benefits shall be calculated from the year 1993. He shall be paid only 50 % of his terminal benefits.

5. There will be no order as to costs.

6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)